ELECTIONS

AND

HOW TO FIGHT THEM

BY

J. SEYMOUR LLOYD

NEW AND REVISED
EDITION

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AND

HOW TO FIGHT THEM.

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PREFACE TO NEW EDITION.

This volume, devoted to the practical work of Parliamentary Elections has been so kindly received since its first issue, that a new edition has become necessary.

The text has been revised and added to, but the general plan of the book remains unaltered. The first Appendix contains in alphabetical order under appropriate headings, the election sections of the Corrupt and Illegal Practices Prevention Acts and other legislation immediately bearing upon the subject. There also is set out in full the Public Meeting Act, 1908, and this important measure is discussed in the body of the book. A new Appendix has been inserted, dealing with the law and practice relating to University Elections, for which I am indebted to my friend, Mr. Lambert F. Wintle. To other friends is due, and gladly given, acknowledgment of valuable suggestions for the preparation of this edition.

J. Seymour Lloyd.

3, Harcourt Buildings, Temple, E.C.
October, 1909.

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ORGANISATION.

SYNOPSIS.

Importance in Democratic Politics.—Thing, not the word.—Organisation in commerce and in politics.—Political organisation in America.—English organisation contrasted.—Its aim.—"First get your voter."—Getting into touch with electors.—Different constituencies, different methods.

Central Association of the Constituency.—Organising Committee.—First meeting.—Constitution of Association.

Ward or District Associations.—Methods of forming.—First enthusiasms.—Competition for Branch offices.—The Primrose Order.—Central organiser and Branch meetings.—County organisation.—Social politics.

Work of Ward and District Associations.—(1) Education; (2) Registration; (3) Organisation for Elections.—"Street captains" and "Village sentinels."

Young Men and Politics.—A band of young workers.

Organisation minus a Candidate.—Understudies for candidate.—Education between elections.—Educational meetings the best meetings.—Qualifications for political organisation.—Political clubs.—Weakness or strength.—Summary of organising duties.

An abandoned bachelor is reported to have remarked, in reply to an inquiry as to a woman's three wishes, that her first choice would be a new Paris hat; her second, another Paris hat; her third, one more Paris hat. The cynicism is not without its uses for application in party politics. Organisation is the beginning, the middle, and the end of a well-fought campaign. It is necessary, however, that the sound of the word be not mistaken for the reality of the thing, lest we deceive ourselves with the blessedness of an expression like the old lady who found

comfort in the magic syllables of Mesopotamia, frequently repeated. Political organisation is something more than talk, although it is invariably talked about—by those who do not understand it—with particular vehemence just after an election has been lost, an occasion which possesses the drawback of being distinctly behind the fair.

In commerce, a successful organiser builds up big businesses; in politics, he wins elections. Organising capacity and organising energy are as essential in one as in the other, although the objects to be attained are widely different.

There are persons in this country who profess the utmost detestation of political organisation. In their eyes it is an accursed thing, and they point a warning finger across the Atlantic, bidding us contemplate what they term, "the canker of corruption" in America. The dread word Tammany rings in their ears, and the knowledge of American political organisation they possess is bounded by those seven letters of the alphabet. A little more knowledge might mean a little less vehemence. If they would peruse two or three chapters of Mr. Bryce's "American Commonwealth," they would learn that the party system in the States has for its main object the selection of party candidates for innumerable offices, paid and unpaid, from the appointment of President to that of postman. The two great American parties of Republicans and Democrats fight about places more than about politics, and it is with the object of finding offices of honour or profit for their adherents that their extraordinary heirarchy of committees exists, rising in steady gradation from ward to city, from city to district, from district to county, from county to State, from State to

nation. Such aims and objects, it may be said without exaggeration, are utterly foreign to British politics and parties. Our differences are political differences, and that simple fact is sufficient to destroy any resemblance to the American party system, and to justify, if justification be needed, the existence of rival political organisations, whose legitimate mission it is to increase the strength of the party they support by educative means and by bringing before the electors the great political problems upon which it is the duty of those electors to record their verdicts at the polling booth.

Political organisation, then, should have as its aim to secure that every vote on the right side is polled on election day. For the fulfilment of that aim two conditions require to be realised. First, that all supporters who are entitled to be upon the register of electors are duly enrolled. Second, that they go to the poll.

"First get your voter, then poll him," is not a bad political maxim. For the moment let us leave the question of canvassing and registration outside our calculations, as that is an important branch of the work which the machine will have to do when it has been brought into existence, but the machine must obviously first be provided.

The task in front of a political organiser who comes into a constituency which is either hostile, or what is perhaps worse, apathetic to the cause he is working for, is to get the organisation into touch with every single individual who is, or who may possibly be, on the right side in the fight, and when the organisation is in touch, he must see that it keeps there. This is a task easy enough to talk about. Doing it is another matter. Every constituency has its own peculiarities, and a method which would win

success in one, would achieve nothing but failure in another. But in every district, and in all constituencies, some touch of diplomacy is essential. He who devotes himself to the work of political organisation must be alive to local feeling and local prejudices; he must smooth down difficulties and prevent those jealousies or quarrels in the party which are so easily aroused, so destructive to success, and, unfortunately, so difficult to assuage. One thing is certain. The man who owns the unhappy knack of rubbing people up the wrong way is not going to make a good political organiser in any constituency.

CENTRAL ASSOCIATION OF THE CONSTITUENCY.

As a first step towards "pulling the party together," a strong Association must be set up, or, if there is one feebly eking out a moribund existence, it must be galvanised into new life, as a vigorous Association is nothing less than the political heart of a constituency.

Having secured adequate promises of support from leading members of the party in the constituency, a representative meeting of known supporters should be called together, at which an organising Committee might be appointed. A draft constitution for the government of the future Association may be submitted to the preliminary meeting, at which every effort should be made to secure an attendance thoroughly representative of the different wards or districts in the borough or county. The constitution must provide in the first place for the Central Association, which, as a general rule, should consist mainly of a body of delegates from the different wards or districts, so that the principles of popular government may be applied. A provisional, or an

organising committee having been appointed from among those present at the meeting, immediate attention must be devoted to establishing the ward or district branches, whence the Central Association will draw its membership and strength.

WARD OR DISTRICT ASSOCIATIONS.

The method to be pursued is the same on a smaller scale as that adopted for the preliminary meeting. In each ward, or in every village or parish, as the case may be, the known supporters of the party must be called together. In a widespread constituency the process will take some little time, as it is almost essential to give personal attendance and attention to the formation of every branch. Only in this way can initial difficulties be smoothed down, and the machinery of the branches be started satisfactorily.

The method of organisation which has met with most success is to provide that each Ward or District Association shall elect representatives on the Council of the Central Association for the constituency, of which Council officers of District Associations would also be members *ex officio*. In this way every member of every branch has a share in the government of the central body in the constituency which, representing as it thus does the whole party in the constituency, has an undoubted right to speak in the name of the party.

The great object, then, must be to spread a general interest in the party organisation throughout all classes in the constituency. There should be no hole and corner selections of officers or committeemen. The best proof of success and the surest guarantee for a strong and

healthy association will be to have Ward or District Associations, thoroughly representative of the whole local community. Unthinking talk about democratising political organisation is useless. There is no sense in rushing after a working man simply because he is a manual worker; but there is every reason for getting the earnest hearty co-operation and the shrewd experience of competent members of the manual working-class, as there is also for enlisting the active sympathy of other units of the social economy. Social divisions should be ignored.

As soon as the branches get into working order, a meeting of representatives, elected by the branches to the Central Council, should be called, at which the first officers of the Central Association for the constituency should be elected. All officers, Central and Branch, should hold their positions upon an annual tenure, and as a general rule, subject, of course, to many individual exceptions, it is not advisable that the same officers should act for more than two consecutive years.

It is in the working value of the ward or district Committee that the powers of the responsible organiser are put to the proof. Their functions are entirely different from those of the Central. More labour with less advertisement is involved in their duties, which means that there is greater difficulty in keeping them strong and efficient. At the first flush officers and committeemen are very keen. They are constantly calling meetings, and for a time new members of the Association are enrolled rapidly. A fresher at the game fancies he is romping home to certain victory whenever an election may come to test the capacity of the organisation he has built up. The old hand knows better. Experience has taught him that hot iron grows quickly

cold, and that the job of keeping committees up to the humdrum work of recruiting members and enlisting waverers is not by any means the easy thing it appears in the early flood of first excitement. At elections everyone can shout, but only by dint of real hard labour can a political party be kept in constant health and strength through other and duller times. Generally speaking, the task is more easy in borough than in county constituencies. In moderate-sized towns a spirit of healthy rivalry between the different Ward Associations may be encouraged with good results. An energetic chairman or secretary wants his ward to head the list in strength of membership and in regular attendance at ward meetings. If the same spirit can be spread throughout each ward, success is practically assured. Again, with regard to officers of the various districts, it is well to bear in mind an almost universal kink in human nature which can often be turned to advantage. What anybody can have, nobody wants. It shows a lack of grip of things to make political positions too cheap. Each ward or district should elect its own officers and committee, and upon them practically depends the life or death of the branch. A feeble chairman, or an incompetent secretary, may safely be trusted to steer it to shipwreck. To get good men as officers, the offices must, by the dignity or local value attached to them, create competition. If the ward secretary has a friendly fight for his position a better man will be secured, and he will do his work better, because he knows other fellows are waiting on the doorstep for his job. A smart organiser does not walk around asking men to fill official positions on the District Associations. He lets them do the asking.

An instance of the stimulating operation of a small obstacle, or preliminary condition may perhaps be mentioned as an illustration of a peculiarity which is not always adequately realised in political work. Some years ago one of the best electioneerers living was attacking a Liberal stronghold. He had gathered around him a certain number of keen workers, but, as is so often the case, the average man in the street was not easy to rouse. A meeting was arranged for the 19th April—Primrose Day—and the candidate announced that no one would be admitted who did not show a primrose in his button-hole. Local leaders prophesied a frost and prayed for revocation, but the candidate stood firm, and issued instructions that the "Primrose Order" was to be stedfastly enforced at the doors. What was the result? A bumper meeting, not to mention an overflow assembly, with a considerable accession of strength to the Conservative Party. That Liberal stronghold became a Tory seat at the next election.

But, of course, an organiser must be judicious and not hold his head so high as to be above the humblest member of the party. **Membership** should be made as easy as possible; election to office should be the recognition of good work accomplished for the branch, such, for instance, as recruiting new members or regular attendance at ward meetings, or proof of interest, however shown. The responsible organiser should be easily accessible, and familiarise himself with the different parts of the constituency by constant appearance at district committee meetings. As a general rule he should be in evidence, but unless called upon for advice, he should not take a prominent part. Local officers have a very natural objection

to find themselves superseded from headquarters, and a district organisation may very easily be injured in this way.

Local organisation in country districts presents greater difficulties. It is not easy to form, or at any rate to keep alive, in scattered villages, healthy branches of the Association. Still, the problem must be tackled. In most villages there are at least one or two active politicians who are willing to give time and energy to the cause they have at heart. Every support should be accorded to them from the Central Association of the constituency, but they should be encouraged to feel that they are occupying an important position as outposts for the party. It is in scattered county divisions that organisations working on the lines so successfully adopted by the Primrose League are most valuable; and if the party organiser has not the advantage of assistance from some such body, he will generally find it advisable to arrange from time to time semi-social gatherings in the various villages, when a bright political address or an educational lantern lecture will bring together the friends of the party in the locality.

The object of both ward and district associations is to secure local help, which is vitally important in carrying out the great aim of political organisation already referred to, namely, to secure that every vote on the right side is duly polled at an election. Except in the smallest constituencies, which redistribution periodically sweeps away or merges in other districts, a single organiser cannot possibly carry out the work without local assistance. This is where the value of the branches come in.

WORK OF WARD AND DISTRICT ASSOCIATIONS.

What, then, is the work which a Central Association must look to its district organisations to perform ?

1. Education.

Each branch should be the centre of party activity in the ward or district. It is a school of political thought, and the function of a school is to educate. A meeting of members should be held once a month, at which, after formal or ordinary business has been disposed of, an address on current political topics can be given. Discussions should be encouraged. Argument stimulates thought, and a short speech, followed by a friendly talk amongst members, interests them more, and does more good, than when one person does all the talking. From time to time, and at least once a year, a local public meeting should be held, when the member or candidate, or, failing him, some other practised speaker, should give an address. Party literature may usefully be distributed at meetings, and members of the association should be invited to undertake the distribution of pamphlets, &c., in their neighbourhood.

2. Registration.

An organiser does well to take an early opportunity of giving a simple explanation of registration work to each district. One or two copies of the register for the district should be supplied, and members should be asked to note alterations as soon as they come to their knowledge. The qualifying period of occupation runs for twelve months from each 15th July, while a new Parliamentary Register

comes into operation on the 1st January in each year, and throughout the year constant changes occur, all of which should be noted up in the district register. Every member should regard himself as a recruiting sergeant for his party. In many boroughs every street has its "captain," who is responsible for looking after the politics of his neighbours, and in small towns and in villages a great deal of useful work may be done in the same direction by securing the active services of one or two keen supporters of the party, who will act as village sentinels, and stimulate local interest in political questions of the day by their personal influence.

There are several methods of procedure which may be adopted in counties, but it may not be out of place here to mention a system which has been proved to work well in a large rural division, where organisation has been brought to a high state of efficiency. Notices are sent out to the chairman or secretary in each parish for a registration meeting, at which he is requested to invite all members of the party to attend. The agent also is present with the register of the district, and this is carefully gone through, name by name. Removals and lost qualifications are noted, while particulars are taken in order that newly-qualified members of the party may come upon the register immediately they are entitled to be enrolled. Inquiries should also be directed to ascertain, on the basis of the rateable property in the district, that all occupiers are duly placed upon the register, whilst a house or other property supplying no elector to the register should receive attention to see that the absence is not due to any oversight. In this way accurate information is acquired and the register is kept up to date. Upon the particulars

ascertained the party agent makes up his marked register, which is the key to party strength in the division; and from the same sources are lodged the various claims and objections to voters, when the authorities are compiling the annual register of electors.

Technicalities of registration law are outside our present scope, but, as an essential of political organisation, we are bound to recognise the necessity for local workers, upon whose information alone the party organiser can get into the happy position of knowing where he is, politically speaking. Very frequently, especially in boroughs, paid canvassers are employed for registration purposes, although, however perfect the arrangements may be, it rarely happens that an exact record can be obtained. "Doubtfuls," deaths, and removals prohibit perfection.

3. Organisation for Elections.

Although it is not desirable that the branch, as a branch, should take part in the work of an election—*see* "Conduct of an Election"—yet it is amongst its members that the agent will look to find his best and most trustworthy workers. The "street captain," or "village sentinel," who has been keeping in political touch with his neighbours, is the man who may be expected to see that when the time comes their votes are polled. To the same source an agent may look for a list of persons in the ward or district who will lend motors or carriages on polling day; for premises most suitable for committee rooms; for information to guide him in arranging local election meetings to the best advantage. In short, the district officers and members should be in a position to afford every detail of local information for the purposes of the election.

YOUNG MEN AND POLITICS.

In most constituencies there is a valuable source of aid which in the past was not always turned to the best account. Young men are apt to think that politics, like golf, is "an old man's game." An organiser, with the power of attracting their sympathy, will find the younger men of immense service to his cause. With increasing years the ties upon time grow, but there are hundreds of young men, from 18 upwards, who would gladly turn their energies to political work if they received any encouragement. It is useless to expect a band of young workers to come into being at a few days' notice for the work of an election. Their interest and sympathy must have been previously roused, but if this has been done, their assistance during a contest is invaluable. More than one fight has been won owing to an effective intelligence department, consisting of young men who carry information from outlying districts, asking for help of extra workers, or taking important news to the Central Committee Room. In these days of bicycles and motors, the lines of communication ought to be well-nigh perfect even in the most widely-scattered county division. But in between elections a body of keen young men is a tremendous asset. Their enthusiasm, if not always the pink of discretion, is at least genuine and infectious, and they are often the best recruiting agency a party can have. An organiser does well to pay particular attention to this branch of his work.

JUNIOR POLITICAL ASSOCIATIONS.

The importance of securing the younger men for political work is now much more generally recognized.

On both sides, central organisations exist having for their professed object the enlistment in the fighting ranks of the party of its junior members, by encouraging and supporting the establishment of local junior organisations. Indeed, both parties now use their best efforts to secure active members at an age when our political predecessors would have been told to run away and play instead of talking nonsense, had they displayed any interest in public affairs. But nowadays, so keen is political propagandist and educational work, that inattention to youthful members means a danger of their going over to the enemy. Moreover, the training a youngster gets in helping to carry on a local junior organisation is highly useful. Wherever possible, a junior branch should certainly be formed; and when formed, as far as possible, it should be managed by its own members. From time to time social gatherings can be arranged, and occasional political addresses and lectures should be given. A meeting should be held at least once a month, and if a debating society for the discussion of public matters can be kept going, it will be of the utmost use. The love of competition with their fellows is strong within most healthy youths, and it can be turned to good account in carrying on the work of a junior organisation. All these matters should be arranged long before an election is in immediate sight, so that when the fight comes the juniors may be able to turn out, as in recent political contests juniors frequently have turned out, a trained and disciplined body who can put in most excellent work for their party.

If for any reason, such as expense or the circumstances of the constituency, a separate organisation

is impracticable, encouragement should certainly be given to the younger men to take an active part in the work of the district committees. Of course, it is sometimes difficult to get interest aroused among younger men; but the attempt is well worth making, and the organiser or candidate who succeeds in gathering around him a number of enthusiastic young supporters—even if their age does not entitle them to a vote—will not find that time or trouble spent in this direction has been spent in vain.

ORGANISATION *MINUS* A CANDIDATE.

We have assumed that the political organiser has behind him the personality of a member or candidate. Enthusiasm for a party or a cause is all very well, but enthusiasm is apt to grow first tepid and then chilly without a leader in the fight, and when he finds himself with a constituency minus a candidate, a political organiser is handicapped indeed. Nevertheless there are few Parliamentary divisions where at some time or another such a situation has not to be faced. If the organisation can be kept in health and vigour a suitable candidate is generally forthcoming, since the constituency is very much more attractive than one in which everything has to be started afresh. Personality counts enormously in politics, and when no candidate is in the field it is essential to centre the interest of the party in someone else as a substitute. The gap must be filled somehow, and it is only fitting that the Chairman of the Association should step into the breach, to whom, since he is the leader, others in the constituency would naturally look to do his best to keep the party together. Discouragement once abroad, passes only too quickly through the ranks, and, under such trying

circumstances, an organiser will need all his wits to prevent a débâcle. Such a time is especially appropriate for educational and propagandist work, as it serves to bring the members of the party together, and does something to prevent them from losing interest in their cause. At all times, the duty of educating the electorate is a most important side of organisation. As already stated, the periodical meetings of branches afford good opportunities for a short address on current topics, and when any question is being hotly debated in the country, public meetings should be arranged, at which short leaflets in plain language should always be distributed, in order that the arguments may be put before the constituency. It is a commonplace that every question has two sides; but if one political party permits itself to become slack in educational work whilst the other is active, the electors are apt to adopt the views which they hear shouted from the housetops, and to ignore the claims of the silent side. Such gatherings do more good than those called in the heat of an election. It is open to question whether victory has ever been won at the poll simply by reason of enthusiastic meetings held during the contest; but the work of education, preparing the ground, and sowing good seed, though a slower process, is much more sure, and therefore it is one which should never be neglected.

Political organisation is not a thing of rules or precepts. To be successful, a man needs special gifts, and not a little special knowledge; but what he needs most of all is the power to gauge accurately his fellow-men, and thus to be in a position to keep his finger upon the pulse of public opinion. In these days, when the social side of politics tends to become more and more prominent,

social qualities are needed, with a capacity for making friends and keeping them. Personal friends become political friends, and the cause benefits accordingly. On this side of his work, the man who is responsible for organisation may find many openings for activity. If there is a political club, he would make it his business to see that it is a strong political centre for his party, and not a mere gathering place of disappointed grumblers. A well-arranged political club is a tower of strength to the side it supports ; one badly managed, is little better than a plague spot in the constituency. Discontented persons will always be found in every constituency this side of the millenium ; but at all hazards they should be prevented from sowing disaffection broadcast, and the condition of affairs at a political club depends largely upon the personality of the organiser where the institution is run in close conjunction with the party. Another danger is that the political may be entirely merged in the social side of such a club, when its uses are greatly diminished. All these things are the concern of organisation. To keep political life active and healthy, to heal party differences, and generally to keep his side strong and ready for the day of battle, whenever it may come, is a summary of the aims which everyone who undertakes the organisation of a constituency must hold ever before him.

POLITICAL MEETINGS.

SYNOPSIS.

Use of Meetings.—Borough and County Meetings.—"The faithful few."—Preaching to the Converted.—Too many meetings.—Motors and village meetings.

Number of Speakers.—Candidate and one other.

Organising Meetings.—Open and ticket meetings.—The Public Meeting Act, 1908.—A popular chairman.—Dealing with opposition.—"Turn him out."

Questions at Meetings.—Presence of ladies.—Getting an audience.—Distribution of literature.—A good "platform."—Central responsibility for meetings.—Chairman's agenda prepared.—Specimen—Local men for votes of thanks.—Hours of meetings.—Songs at meetings.—Workers wasting time at meetings.—Advertising meetings.—Paying speakers' expenses.

Votes of Confidence in Candidate.—Only during contest.—M.P.'s and Resolutions—Meetings on licensed premises.—Opponents' meetings.

Open-Air Meetings.—Development of meetings in public streets or parks—Obstruction must be avoided—Portable platforms for—Hyde Park oratory—Lantern lectures—Unsuitable during contest.

Ward and District Meetings.—Periodical village meetings.—Education by meetings.—Borough ward meetings.

POLITICAL MEETINGS.

The practical value of public meetings as a means of securing victory in political contests is sometimes over-estimated, but experienced political workers are well aware that a Parliamentary election is not gained by a multitude of meetings. The effect may be showy, but, like the fizz of champagne, it passes quickly off. Still, meetings are undoubtedly a useful working part in the machinery of

politics, and provided that their true function is not lost sight of they are of great assistance in keeping the party organisation in a sound condition, and at election times of arousing enthusiasm and enlisting support. Let us deal first with public gatherings, postponing for a moment the discussion of ward and district meetings, which differ both in character and in the objects they aim at.

BOROUGH MEETINGS AND COUNTY MEETINGS.

The first thing to notice is the distinction between borough and county constituencies, that is, between town and village meetings. There are boroughs where the electors expect and demand frequent public meetings. Such, however, are in a decided minority, and in many provincial towns each political party has a certain following which may be counted upon to attend as many meetings as the local organisation chooses to hold, while the general body of voters neither attend nor take any interest. To preach constantly to the converted, and to the same converted, is not business, and in such constituencies it is a mistake to hold frequent meetings when no contest is in sight. During elections most provincial towns produce a good audience for the "big" meetings.

In the small towns and villages of a county division the position is very different. Many constituencies contain 70, 80, or a higher number of villages, and it is no light task for the member or candidate to be present at even one meeting a year in each place. As villages are not uncommonly somewhat jealous one of the other, dire offence may be given if any are neglected, so that, if possible, a yearly meeting should be held in each with the view of keeping in touch with local feeling and smoothing

down the discontents which arise so readily. With a motor car it is an easy matter to arrange to hold two or even three village meetings in one evening, at each of which the member or candidate may put in an appearance, leaving to other speakers the not altogether enviable task of holding the fort pending his arrival or subsequent to his departure.

NUMBER OF SPEAKERS.

For either town or country meetings it is a big mistake to make the list of speakers a long one. Two hours is an outside time limit for any ordinary meeting, and no harm is done by getting it through in less. Therefore if the candidate is present, one other speechmaking speaker is quite as much oratorical talent as will be required. With a team of four or five, the tail has a poor time, the audience becomes wearied, and any enthusiasm which may have been generated early in the evening is effectually extinguished. A certain number of formal utterances always have to be arranged for, and sometimes the chairman forgets to rule himself out of order for spending too much time out of the chair he was intended to occupy.

ORGANISING MEETINGS.

A capable organiser bears all these details in mind when arranging meetings, a matter which he should not relegate to any subordinate. He knows, of course, whether the place is friendly or hostile to his party, and he considers whether the meeting shall be free and open or be limited to ticket holders. Open meetings are infinitely preferable, and it is generally better to risk a rowdy gathering than to endeavour to shut out opponents, but if

feeling is running very high, it may be desirable to have recourse to tickets, although during an actual contest ticket meetings are not at all to be recommended. Where opposition is anticipated, it is not difficult to make arrangements to meet it. A suitable chairman may win half the battle. Someone well-known and fairly popular in the district should be chosen—a man who will stand no nonsense, but whose iron hand is kept discreetly gloved. Chairmen who pass from a peremptory to a peppery stage are not generally successful in dealing with a noisy meeting. While firmness wins respect, mere pettishness, not unnaturally, is resented, and opponents are apt to get obstreperous, with the result that the speakers do not get a hearing, and the meeting has to be written down a failure.

THE PUBLIC MEETING ACT, 1908.

Under this Act it is for the first time made an offence for any person to act, or to incite any other person **to act, at a lawful public meeting, in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together.** Conviction entails liability to a fine not exceeding five pounds, or to imprisonment not exceeding one month.

This provision is applicable at all times to all "lawful public meetings," and the police may be called in to deal with an interrupter against whom an offence under the Act is alleged.

To prove an offence, it must be shown that the disorder was "for the purpose of preventing the transaction of the business of the meeting." Therefore, orderly "heckling" or questions put to a speaker pertinent to

his speech, or in connection with the business of the meeting, are not punishable, although constant, unreasonable interruption might be held by magistrates to amount to an offence.

But at political meetings held during and in connection with a Parliamentary election, or according to the words of the Act: "between the date of the issue of a writ for the return of a Member of Parliament for such constituency and the date at which a return to such writ is made" an offence against the Act is **an illegal practice.** This provision has great importance for those concerned in the conduct or management of an election, and while it may afford useful protection against attempts by opponents to break up meetings, it also casts a fresh responsibility upon Parliamentary candidates and their election agents, since an offence against the Act by any person held to be an agent of the candidate might unseat him upon petition. Those who are actually responsible for carrying on an election do not usually endeavour personally to break up their opponents' meetings, but in many constituencies the practice was looked upon rather as a harmless amusement by some of the minor politicians. Now, however, it is necessary for the candidate or his election agent to see that none of the recognised workers or canvassers indulge themselves in such amusements, lest they find an election petition set on foot.

The provisions of the Act should certainly be made known by the election agent to all political workers on his side; and they should be warned of the very grave consequences, not only to themselves, but to the candidate of any infringement. Inciting others to commit an offence against the Act is in itself an offence against its provisions.

As to putting the Act in force against political opponents during an election, careful consideration is advisable. Political prosecutions are not popular with voters, and unless a clear case of deliberate intention to prevent free speech is disclosed, it would probably be the wiser policy not to issue a summons.

Where, as frequently happens, all the opposition comes from a knot of half a dozen persons, it is easy to divide the group by interspersing a few stalwart supporters. Noisy youths should be enticed to seats in the front rows, a position of strategic disadvantage in which their noise usually subsides; whereas in the back places, where they love to congregate, they form an irritating centre of disturbance. Only as the last resort, should forcible ejection or prosecution be resorted to. Cries of "Turn him out" are pretty sure to be raised against an unmannerly interrupter, and the opportunity may be taken by the candidate to counsel forbearance, while he may civilly appeal to the disturber to restrain himself until the conclusion of speeches, when questions can be put. Reasonable people, even if bitter opponents, must recognise that this is the proper course to adopt, and quietness frequently results. On the other hand, where interruption is steadily persisted in, the organisers of a meeting are justified in removing the culprit, who cannot complain, even if he suffers somewhat in the process, although the law does not sanction the administration of any "punishment." Such force may be used as is necessary to eject him, but no more.

QUESTIONS AT MEETINGS.

A candidate or member must be prepared to answer questions on the platform. It is common for the chairman

to insist upon interrogations being sent up in writing with the name of the inquirer attached. This is quite permissible, since not every candidate is able to tackle sudden cross-examination, and, moreover, he is under no sort of obligation to answer persons who are not electors in the constituency. At the same time, where reasonable questions are asked in a reasonable way, a candidate creates a very good effect by freedom and frankness in answering, without insisting upon too many preliminary conditions, but the circumstances of each case must naturally determine the course to be pursued.

Ladies at Meetings.

In a great many constituencies the presence of ladies is specially invited at purely political meetings, and they attend, of course, in large numbers at the semi-social functions which now form so considerable a part in political work. As a rule the presence of ladies at ordinary meetings has a good effect and ought to be encouraged ; it is by no means a bad plan to issue personal invitations to individual electors by post if the cost is not too great, asking also for the presence of a lady. The voter is pleased by the attention, and, if his wife is anxious to be present, he is not likely to be an absentee from the gathering. Getting the audience is the problem which only too often has to be faced, when no immediate election is in prospect. Pathetic examples might be quoted, particularly as regards London and other great cities. A widely-advertised "Monster Demonstration" not long since produced a gathering of 17 individuals at a huge Metropolitan hall. The fact is that other attractions are more numerous and more power-

ful, and in a general way the best that can be done in big city constituencies is periodical ward meetings of moderate size. Another plan which is often successful in getting together a fair number in large constituencies is to hold the meeting at a political club. The members of the club form a nucleus for the audience, and if they are encouraged to bring in friends, especially friends of the opposite party, the objection of preaching only to the converted disappears. A room in a club, however, is suitable only for educational meetings, held before any contest is imminent, as even if the premises were structurally suitable, a big public audience of various political views would hardly be attracted to the private premises of a partisan club. These remarks do not apply, of course, where the club possesses, as some political clubs do, a large hall intended for public meetings.

DISTRIBUTION OF LITERATURE.

At all public meetings, wherever held, some party literature should be judiciously distributed. A vast amount of money is wasted on leaflets at election times, when Committee Rooms are too often found littered with pamphlets which nobody wants and nobody reads. But, after an effective address on a particular subject, a telling leaflet, driving home some of the facts just dealt with, stands far more chance of doing good, and serves to act as a memoriser of the speech. Some connection between the speech and the leaflet should always be observed, otherwise the distribution is practically useless, at any rate in large towns. In villages political literature is more respected, and it is to be hoped, more read.

A GOOD "PLATFORM."

At all public meetings a strong platform should be arranged, so that persons known in the neighbourhood may be seen to be supporting the candidate and speakers. It is better for the candidate to be the centre of a crowd than in the middle of emptiness. Half-a-dozen local councillors, with a few professional and business men, make a very respectable platform, showing that the candidate is not to be dealt with on the plan of hitting him because he has no friends. A well-filled platform often chokes down noisy opposition.

Arrangements for Meetings.

The chairman should be provided with a detailed agenda, setting out the resolutions, if any, with the names of proposers and seconders. Formal votes of thanks to the speakers, and to the chairman should always be proposed by local speakers, and it is a good plan to have written or typed slips with the wording of the motions given beforehand to those who are to speak upon them. These details should be arranged by the ward or district officials as they will have the best knowledge about local men who ought to be asked. The head organiser should be responsible for arranging date of meeting, procuring the candidate's and outside speakers' attendance, as well as providing the agenda forms and votes of thanks slips. His duty, too, it should be, to give strange speakers some local information, or at least to suggest their having a chat with the local secretary before the meeting.

The following draft agenda may be convenient for use during a contest :—

CHAIRMAN'S AGENDA.

Parliamentary Election.

(Name of place) .....Meeting.
.....day. ..... 19 , at p.m.,
in.....**Hall.**

1. **Chairman's Address.**
2. **Candidate's Address.**
3. **Resolution :—**

   "That this meeting of Electors of..... is of opinion that.....is a fit and proper person to represent them in Parliament, and pledges itself to use every legitimate effort to secure his election."

   Proposer..... (Local Elector).
   Seconder ..... (Local Elector).

4. **Vote of thanks to Chairman and Speakers :—**

   "That this meeting tenders its hearty thanks to the Chairman and Speakers for their services to-night."

   Proposer.....
   Seconder.....

Whilst during a campaign it is essential that general arrangements for meetings must be in the hands, or under the control, of the Election Agent, he ought to consult the Sub-agent about various details, such, for instance, as the best place of meeting, the local speaking talent, the most suitable hour to begin. In many working class districts of London an audience can rarely be got together much before nine o'clock, whilst in country districts, which at the moment we are more particularly discussing, 7, or even 6.30 is a favourite time.

At town meetings it is an excellent plan to get the audience to join in singing some political song set to a popular tune while waiting for the regular proceedings to begin. The words can be chalked in bold letters on a blackboard, verse by verse, and if a few musical friends can be got to form themselves into an amateur choir for the election it will be found that meetings, started with music in which all can join, will go with a swing they might otherwise lack. Of course, the provisions of the Corrupt Practices Act forbidding payment for bands of music must be strictly regarded, but, with a few trained leaders, no instrumental accompaniment is really needed.

During elections when a large number of meetings are held workers are apt to waste time in attending them, which might be more profitably spent. This is a matter requiring the diplomatic attention of the candidate or his election agent.

The expenses of village meetings are usually very small, the chief outlay incurred being in advertising them. Distribution of handbills is fairly effective, but perhaps still better, if the cost is not prohibitive, is an invitation post-card sent to each elector in the district. In small towns billposting is a good method of publicity, but in London and great cities such bills, unless very big—which means very costly—are not likely to attract much attention on a hoarding. The best means in such cases is to get friends to exhibit moderate-sized bills in their shop or house windows. It is illegal to make any payment for such friendly assistance in connection with a meeting held to promote the election of a candidate.

The person responsible for organising meetings while a General Election is in progress must bear in mind that

there is great difficulty then in procuring experienced speakers from outside. During a contest the engagement of paid speakers for the purpose of the election is illegal, and if done by the candidate or his election agent it would be sufficient to avoid the election. A candidate, of course, is at liberty to entertain as his friend, a speaker who has come from a distance to help the cause, and his actual out-of-pocket expenses for travelling may also be repaid to a speaker, but such payment must be returned as an election expense. For educational meetings, or meetings for the promotion of the interests of the party, held at other times, there is nothing to prevent a fee being paid to the lecturer or speaker.

During an election it is often necessary to secure halls or rooms some time in advance, or it may be found that opponents have been beforehand, and have booked them for their own meetings, or even merely to prevent the other side from having the accommodation. This is particularly the case in small towns, but it is generally possible to pay a retaining fee securing first refusal of several dates, and where any difficulty is apprehended this is certainly the course which should be pursued.

RESOLUTIONS OF CONFIDENCE IN CANDIDATE.

In an election contest, it is usual to propose a vote of confidence in the candidate, somewhat on the lines set out in the draft agenda above. This is best done towards the end of the meeting by **local** speakers, the proposer being on the platform, and the seconder, an elector, in the body of the hall. If there is much chance of failure to carry such a resolution it should certainly be omitted. Opponents in the press and on the platform always seize upon

an incident of the kind to proclaim that the candidate cannot carry even his own meetings. Omission is unimportant; failure announces feebleness.

It has to be remembered that no such resolution of confidence in a candidate, or declaration of his fitness to represent the constituency in Parliament, should be submitted at meetings held prior to a contest, because, if this is done, an election expense might be held to have been incurred, and it might be taken as evidence that the actual candidature had commenced long before it is convenient, having regard to the limitation of election expenses permitted by law. At ordinary political meetings, whether the candidate is present or not, resolutions are better directed towards the support of a party, or the Government, or some proposed legislation or opposition to legislation. Such meetings would be organised and paid for by the party Association, and not by the candidate personally. Any amount of confidence may be expressed, or approval bestowed, so long as it is impersonal to the gentleman who is likely to become the candidate.

The position of a sitting member is somewhat different. At the invitation of the party Association most members attend periodical meetings in their constituency as part of the regular routine, quite irrespective of the approach of an election. On such occasions resolutions of confidence, in the shape of thanks for services are commonly proposed, and no exception can be taken to them; but so soon as an election is looming on the horizon impersonal resolutions are what wisdom would dictate.

As regards place of meeting, this in villages is nearly always the schoolroom. Meetings on licensed premises are not illegal, but during a contest they are distinctly

undesirable. It may be noted that in municipal elections meetings must not be held on premises where food or drink of any kind is sold. (See "Municipal Elections, and How to Fight Them.")

When no election is pending it is not unusual to hold political smoking concerts, or similar entertainments, at an inn or hotel. If, during a contest, no other suitable place can be obtained notice in writing should certainly be given to the landlord before a meeting, that the candidate will not pay for, or be responsible for, any food or drink supplied to any person, ostensibly on behalf of the candidate. It may also be desirable to draw the attention of the landlord to the stringent provisions for endorsement of licences where it is reported by election commissioners that a licensed person has been guilty of, or even has knowingly permitted, bribery or treating upon his premises. Forms for this purpose may readily be obtained.

This section would be incomplete without a reference to the importance of a candidate and his agent being properly posted as to what is said at opponents' meetings. Newspapers can report fully only the larger gatherings, and obviously if any personal slander is uttered it is hardly likely to appear in print. It may be hoped that a campaign of slander is not common, yet a sharp ear and eye should follow every meeting, so that attacks may be promptly dealt with. There is another reason. Under modern conditions, political campaigns show an increasing tendency to develop into a process of bidding for support by appeal to the self-interest of the electors. Consequently, speakers who are irresponsible, or careless, or worse, sometimes put forward statements which are either utterly devoid of foundation, or in which the im-

aginative so far outweighs the truthful that the latter is practically a negligible quantity. This can be done in two ways—either by misrepresenting the policy of opponents, or by making reckless promises in the hope of attracting support. Glaring instances of these tactics require prompt treatment, particularly in rural districts where there is most danger of their adoption. Someone whose intelligence and judgment can be depended upon should therefore always be in attendance at village meetings to report extravagant statements or misrepresentations, while all reported speeches of the opposing candidate should be carefully read. A friend or secretary can easily examine systematically all such reports, calling the candidate's attention to matters he may usefully criticise or comment upon in his own speeches.

OPEN-AIR MEETINGS.

Perhaps the most noteworthy development in the conduct of elections is the growth of open-air meetings. A few years ago candidates would not have dreamed of entering upon a campaign of street speeches as a part of their election contests. True, industrial constituencies, where factories or shipbuilding yards or mines brought together an audience of working-class voters at specified times, were sometimes treated by an enterprising candidate, not too punctilious, perhaps, about the dignity of his position, to a dinner-hour oration in or about the factories or workshops. But the ordinary routine of indoor meetings in hired halls was the only recognised and regular platform of the Parliamentary candidate. However, a change has been wrought. It is the rule

in most contests now to arrange numerous outdoor meetings. They are cheap. They are a good advertisement. They reach people who could never be got inside a building to listen to political speeches. But if the practice continues to develop, it is probable that interesting legal questions may be raised. There is no special public right of holding meetings in public places. An orderly meeting for a lawful object can certainly be held on private property, with the consent of the owner or occupier, whether the meeting be held in the open air, or in a building. But in the great majority of cases, open-air meetings are held in the streets of towns, or in parks or open spaces. Now there is no right of public meeting in the street. Streets are provided for the use of all citizens, to enable them to pass from one place to another. That is a right every citizen is entitled to enjoy. But when a group of people gather together, and stand about either to listen to a political speech, or to look at a Punch and Judy show, they are not only not using the street in the proper way, but they may, in fact, be interfering with the right of free passage of other persons along the street. Strictly speaking, therefore, no one has a right to assemble or to take part in a meeting in a public street, although, as was pointed out in a case where the question of public meetings was under discussion: "Things are done every day in every part of the Kingdom, without let or hindrance, which there is not, and cannot be a legal right to do, and not unfrequently are submitted to with a good grace, because they are in their nature incapable, by whatever amount of use, of growing into a right." (Per Mr. Justice Wills, in Ex parte Lewis, Law Reports, 21 Queen's Bench Division, page 197.)

It is well, therefore, for those who contemplate organising street meetings for election purposes to bear in mind that such meetings are only permitted on sufferance, and that no right to hold them can be claimed. It follows also that if obstruction is caused, an offence against the law is committed. If street meetings are organised, therefore, great care should be taken not to cause obstruction to traffic or congestion on the pavements, or inconvenience to residents. Usually suitable spots may be found where no objection will be taken.

With regard to open-air meetings held in parks or on commons or open spaces, similar but slightly different considerations arise. While there is no legal right to hold meetings, in many cases the authority having control makes regulations, subject to which, meetings are permitted to be held. Local inquiry will usually produce all the information necessary to secure conformity with such regulations.

If possible, suitable leaflets should be distributed at all open-air meetings, but this is sometimes forbidden by the regulations or by-laws in force in various parks, &c.

A light and portable "platform" is almost a necessity for open-air work. At the worst, an upturned orange box may be used; but it is not recommended. An open-air platform should be constructed somewhat on the principle of the domestic folding steps, the platform being about 18 inches above the ground, with what would be the top step of a ladder coming high enough above the platform to make a convenient rail for the speaker. The base should be wide and firm, as on occasions the eagerness of the audience, either to listen (or the reverse!) may cause pressure that would upset an insecure stand.

It must be borne in mind that speakers require to be most carefully chosen for open-air work, as criticism is remarkably rough and ready on such occasions. Perhaps there is no better school for peripatetic orators than the well-known place of assembly in Hyde Park. Graduation there has perfected some of our best platformists of the present day, but it is sometimes a hard school. The writer remembers seeing an unhappy Hindoo law student of his acquaintance, addressing the bystanders and using as an illustration to his argument the expression: "It is as if you said, I had Heaven in my head and Hell at my feet." Whereupon a homely working man remarked with a snort, which in itself was enough to upset the harmless Hindoo: "A pretty looking beggar *you* are to have 'eaven in yer 'ead." The street corner is decidedly not the place for a political beginner!

LANTERN LECTURES.

An extremely useful form of educational meeting has yet to be touched upon. Lantern lectures are often exceedingly valuable; in the first place, because the pictures are an attraction which draws a larger number of people, and, secondly, because the recollection of a picture on a screen is carried in the mind more easily than that of the most eloquent description in words. Many political subjects lend themselves to illustration, and with an attractive speaker and a trustworthy operator, lantern lectures are undoubtedly a most useful weapon in electoral warfare. In the heat of an actual contest they are, perhaps, less suitable, because darkness encourages rowdy behaviour, and the real use of lantern lectures is for the educational work

which, in a well-organised constituency, is carried on regularly between elections.

WARD AND DISTRICT MEETINGS.

We turn now to the consideration of ward meetings, which, as they have somewhat different objects, naturally present different considerations.

Borough constituencies are divided into wards, counties into districts, and a branch of the Central Association should exist in each ward or district. From time to time each branch ought to hold a meeting of its own. In widely-spread country districts, where there is greater difficulty in arranging them, meetings are less frequent, and very often at ordinary times, not more than one a year, is held, which resolves itself into a public village meeting, at which the member or candidate makes his annual speech. Even in rural districts, however, a strenuous effort should be made to encourage healthy local branches, and the holding of a meeting of members at least once in three months. Otherwise membership becomes slack and the organisation is apt to grow rusty, which means that when an election arrives it will not be entirely up to its work. In the country towns and in borough constituencies, Association meetings play a more regular part, and monthly gatherings of members are usually held. The chairman of the ward should always occupy the chair, as it is right that he should be supreme in his own ward, and even when the member or candidate attends a ward meeting the chief officer of the district present should never be superseded in the chair. These gatherings are usually confined to members of the Association, and they

form the chief means of recruiting new members of the party. They are, or ought to be, less formal than public meetings, their idea being to bring together the avowed members of the party. An interest in strictly local affairs may often be wisely fostered, and the chairman in his address would deal with matters particularly affecting the ward. The member or candidate should attend occasionally, looking upon the evening as one to be devoted less to speech making than to meeting old friends and acquaintances, and making fresh ones. A short address from an outside speaker, or a lantern lecture, should be followed by general discussion, if one can be raised. Ward meetings form a part, and perhaps the most important part, of borough organisation.

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HINTS FOR SPEAKERS.

SYNOPSIS.

THE WHOLE ART.—Two "do's"; two "dont's."—Born orators.—Preliminary platform practice.—Gladstone's advice.—Different audiences.—London working men.—Village audiences.—Town and country intellects.—Speaking at entertainments.—An awful fate; Following the funny man.—Four maxims:—

(1) SHORTNESS.—Time limit of 30 minutes.—48 minutes on 10 minutes' speeches.—Diluted eloquence.—The speaker timing himself.

(2) SIMPLICITY OF LANGUAGE.—Handling burning questions.—Broad facts not minute detail.—Too much Blue Book.

(3) THE DRAWBACKS OF SUPERIORITY.—Keeping off a Pedestal.—Working men speakers.—Why they succeed.—Morning dress for meetings.—Talking on the level of an audience.

(4) A DEADWEIGHT OF SOLEMNITY.—John Bull and solidity.—Apt anecdotes clinch a point.—"The horse that carried a lady."—Listless audiences.—Speaker's commonplace book.

STRANGERS ON PLATFORMS.—Local topics and local prejudices.—Village exclusiveness.—"Harrow we know, but who are ye?"—Ascertaining topics to avoid.

HOSTILE INTERRUPTIONS.—Masterly inactivity with interrupters.—Happy retorts.—"Does your mother know you are out?"—Loss of temper.—Questions in speeches invite answers.—Fishing for interruptions sometimes useful.—An instance.—Supporting the Candidate—not supplanting him.

POLITICAL SPEAKING.

The whole art of political speaking might be summarized within the compass of two "do's" and two "dont's":—

Be short.
Be simple.
Do not be superior.
Do not be inordinately solemn.

No book that ever was, or ever will be written, could do much towards the production of an effective speech. The best platform speakers are those who have a natural aptitude for the work, but most men, and women too, for that matter, can acquire by practice the power of addressing an audience in a way which will at least hold their attention—and that after all is the main thing to strive for. There are persons who seem to imagine anyone is competent to let off oratorical fireworks in public without previous experience or training. They are persons to avoid. The platform is not the proper place to practise, and individuals who victimize an audience by perpetrating maiden efforts in public deserve the fate which usually attends them. A would-be orator should join a debating society and speak constantly—so constantly as to be a bore to his fellow members, who, however, cannot justly complain since mutual improvement is the object for which they are gathered together, wherein they differ from a public audience who may very properly resent being forced to undergo a similar process. When some measure of fluency has been attained, it is very useful to seek preliminary platform practice by giving short addresses or lectures to literary societies, and other like gatherings, where criticism is not likely to be too severe. Thus the plunge into politics is made gradual, and a young speaker starts with some degree of that confidence which is absolutely requisite to any measure of success on the platform.

It may be appropriate to quote here the following advice which was given by Mr. Gladstone to one who sought his counsel on the point :—

1. Study plainness of language, always preferring the simpler word.

2. Shortness of sentences.

3. Distinctness of articulation.

4. Test and question your own arguments beforehand, not waiting for critic or opponent.

5. Seek a thorough digestion of, and familiarity with, your subject, and rely mainly on these to prompt the proper words.

6. Remember that if you are to sway an audience you must, besides thinking out your matter, watch them all along. —"Life of Gladstone," Vol I., page 192.

The remarks which follow make no pretensions to teach an easy path to popularity as a speaker, but may be of service in that they possess at least the virtues attributable to experience in addressing audiences of very different descriptions in many parts of England. It is important to remember that what will suit one audience would be hopelessly out of place with another. A meeting of London working men is in many ways an ideal assembly to address. Their perceptions are keen, their wits sharp. They follow an argument rapidly, and if they find a bad flaw in it they do not as a rule hesitate to proclaim their opinion with an immediate frankness which is embarrassing even to experienced speakers, and which would utterly floor most beginners. On the other hand, they are generous in appreciation. A good point well put never fails to go home, and an interruption happily parried moves them to warm applause. The worker in great cities is a person very wide awake, and a speaker who once gets into touch with an audience of intelligent artisans can ask for no better experience. To one accustomed to such meetings, a village gathering in some rural districts is a trying ordeal. His best points pass apparently unheeded. Farmers and labourers sit in stolid silence from which it

seems impossible to rouse them. Even a funny story is received with a hesitating smile, as though its humour were somewhat doubtful, and the most fiery language fails to produce any sort of interruption. The speaker is apt to feel his efforts are a miserable failure, and the conviction is not conducive to greater success. A new hand, less modest and more rash, is tempted to declare in his haste that the fellows are fools. If he does, let us hope the opinion is delivered in strict privacy, for a man who cannot keep command of his temper in public under all and any circumstances does a thousand times more harm than good to the cause he advocates. The speaker's discouragement arises from want of experience. An average village audience is often undemonstrative, but by no means unintelligent, and those who permit themselves to talk contemptuously of "Hodge," merely show their own lack of perception. With agriculturists the process of mental digestion is frequently slow. Accustomed by their calling to a certain amount of contemplative delay, they are disposed to turn things over in their minds in a deliberate manner entirely foreign to workers in towns and cities. The latter arrive quickly at their conclusions, and very frequently the matter is promptly forgotten for some newer topic. Villagers, with fewer distractions, discuss the meeting and the speeches again and again, with the result that the impressions made are much more permanent, and hence more effective. A town meeting is without doubt more agreeable from the speaker's point of view, but very often a village meeting, apathetic though it be, and apparently a failure, does greater good.

Most political speakers are called upon at one time or another to undergo the experience of speaking in the

midst of an entertainment, such as a dance, or a concert. To be the powder in the jam is never pleasant, and it is almost impossible to avoid the sensation on such occasions that one's efforts are being endured rather than enjoyed. But politicians have long since recognised that to get down the wholesome powder of politics a good deal of jam in the shape of social entertainments is often desirable. One hint may be given. The musical organiser generally has his whole soul in the music, as it is right he should have. More often than not, however, this means that he puts on the "funny man" just in front of the serious political orator. This is one of those things which might be arranged differently, and a speaker may be permitted to suggest a slight modification so that he may face his audience after some item less fatal to his efforts than the modern rendering of a modern comic song.

Bearing in mind that different audiences require different treatment, we may proceed to discuss our four maxims for platform speeches:—

1.—SHORTNESS.

Of the four the first is, perhaps, the most important. Unless a man is a Parish Councillor or a Cabinet Minister, he ought to be able to communicate his thoughts well inside the space of thirty minutes. As these hints are not exclusively intended for the guidance of either class of the community, we venture to lay down a time limit of half an hour as the maximum under ordinary circumstances, although the idea is probably merely Utopian, as may, perhaps, be gathered from the unconfirmed rumour that at a meeting of members of Parliament held in connection with the move-

ment for shortening the eloquence of the House of Commons, a distinguished Parliamentarian, in a telling oration lasting about three-quarters of an hour, conclusively proved the absurdity of permitting speeches to exceed ten minutes. Exuberant verbosity in public speech-making is undoubtedly one of those matters in which, as Lord Bowen said, we are deeply conscious of one another's infirmities. Most people who have experience in arranging political meetings have encountered the man who cheerfully announces his inability to do anything in the way of a decent speech much under an hour, and the extraordinary thing is that a long winded orator is invariably proud of his length of utterance. Sadness and sorrow are left for his audience. The platform speaker who is sought for is the man who can make a good speech in a short time. Diluted eloquence is first cousin to the unpopular mixture known as milk and water, although, of course, there are occasions when a speaker is compelled to babble like the poetic brook, as, for instance, when he is put up to keep going until another orator arrives. One of the most unpleasant jobs is to be started off with the injunction "to go on until Mr. —— gets here on his motor." There is an uncertainty about the position which is far from delightful—particularly if the car has a breakdown on the road!

A speaker should always inquire what length of time he is expected to occupy, and his endeavour should be to conclude within rather than beyond the mark. If there is no clock in plain view, he should place his watch in front of him, being careful to notice the exact time he begins. Such a detail may seem unnecessary to mention, but long—and shall we add, bitter—experience proves that not one person in a hundred is capable of computing time while he

is addressing an audience. Perhaps this is why the clocks in religious edifices are so big.

Too little rather than too much is a sound rule for oratory of every kind.

2.—SIMPLICITY OF LANGUAGE.

Do not use a long word where a short one would serve; and do not assume that your audience has a deep acquaintance with politics. Indeed, the man on the platform is not always a Solomon in this respect. Happily consciousness of ignorance is the halfway house to perfection of knowledge, and if a speaker sets out with the idea of first instructing himself, he stands a far better chance of instructing the people who have to listen to him. For platform purposes one generally finds a question to handle which is more or less burning. The newspapers will have been full of it, Parliament will have discussed it, and Blue-books will have been widely issued, if not widely read. An ordinary speaker cannot hope to say anything startlingly original upon the subject. If he does, probably what he says is wrong. His best plan is to grasp the main elements of the topic, and, above all with a village audience, to talk them over in the most simple language possible. The average man is not a close student of political questions. He is apt to take his opinions straight from his newspaper, even if his interest carries him so far as to induce him to read the views there put forward. A glance at the Parliamentary reports in the newspapers with the largest circulations shows how little space a modern editor devotes to the ordinary proceedings at Westminster. Why? Simply because long reports would not be read, and are not wanted. The average man then

does not care for a mass of details, or lengthy extracts from Blue-books. What is needed is the power to put the main facts clearly before him, filling in here and there with a little detail where it is necessary in order to demolish an argument being made use of by political opponents. And the plainer the language the better he will understand it, and the more he will like it.

3.—THE DRAWBACKS OF SUPERIORITY.

A pulpit preacher who is always talking about "ye" and "you" rarely makes much of a success. A platformer on a pedestal is a ghastly failure—and deservedly so. People do not go to political meetings to be lectured by a fine gentleman who feels himself miles above their heads, and lets them see he does. Such airs and graces may sit tolerably well upon a great statesman—but great statesmen rarely exhibit them, and it is left to the undistinguished to display an overweening sense of their own importance on such occasions. A genuine working man is very often the most effective speaker on a political platform in many constituencies, simply because he appeals to his audience as one of themselves. For the same reason it is nearly always wiser to wear morning garments at political meetings. In a small town, or village gathering the arrival of a platform group in white ties and shirtfronts has a tendency to emphasise class distinctions in a way which is hardly consistent with good taste, and, from an electioneering standpoint, is hopelessly bad tactics. The man who is going to "get there" in his speech is the man who comes most closely into touch with every individual in his audience, by addressing them on equal terms, absolutely free from any assumption of superiority. The man who begins by

despising his audience generally ends with matters the other way round.

4.—A DEADWEIGHT OF SOLEMNITY.

Englishmen are prone to take sadly other things besides their pleasures. As a nation we cherish a conventional respect for solidity and seriousness, and in due proportion and their proper place those qualities are highly commendable. But it is possible to overdo them. A light touch and a sprinkling of humour are welcomed by audiences, and the orator who is perennially solemn must not be surprised to find himself more feared than loved from the point of view of a popular platformist. It is not given to us all to scintillate with well-turned witticisms, but we can season facts so that the fare we offer may be at least moderately appetising. An apt anecdote very often drives home a point more quickly and more surely than long drawn, wordy argument, while its application is far more likely to be retained in the minds of hearers. To combine practice with preachment an example from the annals of Parliament may here be cited. An occasion arose when it was desired to promote the Attorney-General in an administration under Mr. Gladstone to a seat on the Judicial Committee of the Privy Council. But there was an obstacle in the way. A qualification for membership of that august Appellate Court was previous tenure of high judicial office. The Government met the difficulty by appointing Sir Robert Collier a Justice of the Common Pleas. Within a week he was promoted to the Privy Council. Such an instance of extremely literal interpretation was not likely to escape

criticism in Parliament, but the most effective speech in a long debate was delivered by the late Mr. Edward Greene (*Bury St. Edmunds*). It consisted of one short story. The transaction of the Government, he declared, reminded him of a coper who had recently put a horse up for sale near his home, with the description that it was quiet to ride or drive, and "had carried a lady." So it had, said Mr. Greene, for it happened that he was spending a night at a hostelry, and arising early in the morning, he observed the gallant steed perambulating round the stable yard under the restraining charge of the coper and two ostlers, who between them were holding both the horse and a chambermaid, who was insecurely perched upon the back of the jibbing animal. Without further word or comment Mr. Greene then resumed his seat, leaving members on both sides convulsed by the comparison, which was infinitely more difficult to deal with than the most sober argument. A well chosen illustration brightens up both a speech and the audience. Some serious minded persons object to interlarding their political addresses with anecdotes. They consider such a proceeding undignified, and apparently feel that by so doing they are harnessing statesmanship with buffoonery. They are entitled, of course, to their view, but it is a mistaken one. If you watch an average audience during the delivery of a political speech, you will often find that after the first few minutes their interest flags, and if they follow the speaker at all, they follow him listlessly. But a lively thrust, or even a very small joke wakes them up again to attention, and surely such a result is worth achieving. A speech utterly devoid of light and shade is bound to

be a monotonous performance, and perpetual solemnity mostly degenerates into unattractive stodginess.

Those who speak frequently on the political platform will find it extremely useful to keep a note book in which they can jot down suitable stories, or a telling way of putting facts. Such a book becomes invaluable after a year or two's collection has found a home between its pages. Few men can carry in their heads the sort of thing required, and a tale or an illustration which has struck one personally is much more likely to be put to good use on a platform than an illustration or anecdote laboriously hunted up from a reference book.

STRANGERS ON PLATFORMS.

There still remains to be mentioned a matter of very great importance which is sometimes lost sight of by speakers visiting a strange neighbourhood, and that is the necessity for finding out from the agent, or from someone thoroughly familiar with the district trustworthy particulars upon local topics and local prejudices. A stranger in a small town or village must bear in mind that he is always at a certain disadvantage. Some villages are almost as exclusive in their circle of acknowledged acquaintances as the cricket eleven of Eton is reported to have been when a challenge from some less distinguished school eleven was answered in the terms, "Harrow we know; Winchester we know; but who are ye?" Villagers acknowledge the squire, and the parson, and the doctor, but strange folk from outside are often regarded with more curiosity than friendliness. An old hand, therefore, makes a point before the meeting of gathering a few local chronicles. He finds out who is

popular, whose names it would be well to bring into his address, and whom to leave out; on which person's political actions it may be judicious to expend a little criticism, and, equally important, whom he should leave discreetly alone. Many a useful point may in this way be scored which would otherwise be lost, and if his questions have been at all to the point, it will at least save him from performing the terrible gymnastic feat of opening his mouth only "to put his foot into it." For undoubtedly that is what a careless stranger does run the risk of doing. Suppose, for instance, being a Radical, he chances to criticise severely the Church and the clergy in a place where the vicar is beloved by everyone of all parties; or, equally unfortunate, being a Conservative, he waxes eloquent upon the kindly feeling and the close relations existing between landowners and their tenants, when the village squire happens to be neglectful of his duties? The pit is one a stranger may easily fall into, if he has not taken the precaution to make a few preliminary inquiries, and the feelings of the local supporters of his party as he flounders helplessly about may be left to the readers' intelligent imagination. It is the class of oration with regard to which a piece of humorous advice that Tories should address Radical meetings, and Radicals hold forth to Conservative gatherings might be adopted in all seriousness with decided advantages to the respective parties!

HOSTILE INTERRUPTIONS.

To some speakers hostile interruptions present a great difficulty. To meet it, at any rate partially, one golden rule exists which has the supreme virtue of being

easy to practise. It is to go steadily on with the speech entirely heedless of the remark. This policy of masterly inactivity is usually safe but not brilliant, and if an effective answer can be given on the spur of the moment, the speaker, of course, scores a greater triumph. In this connection we must be excused for calling to mind the incident of Lord Carmarthen, now Duke of Leeds, who, as a very youthful looking candidate, on rising to speak, was greeted with the cry, "Does your mother know you're out?" "Yes," came back in a twinkle, the retort, "and on Wednesday night at eleven o'clock she will know I'm *in*." Such happy inspirations are rare, but a reply which is to the point invariably secures approval and applause, even though its wit borders on the microscopic. What must, at all costs, be avoided is any appearance of being disconcerted, so that if no reply comes to mind, an interruption should be simply ignored.

The one unpardonable sin, however, is loss of temper, or display of irritation. A man who cannot keep his temper had better keep off the platform, because he is certain to make himself and his party look foolish. A smile and a joke will often disarm the most captious opposition, while nothing puts an interrupter more out of countenance than the genial remark, "I am much obliged to my friend for raising that point." Very occasionally it may be desirable to simulate indignation, but as a general rule even gross discourtesy is best met by unswerving good humour.

Some speakers quite unconsciously fish for interruptions—and generally catch them more quickly than they like—by constantly framing remarks in the form of questions. The orator, for example, who innocently

inquires, "What does the British working man want?" can hardly be surprised to receive the polite but slightly inconvenient reply, "Wants a drink, guv'nor." If you are not prepared for back answers don't ask questions in a speech. But the plan may be very successfully adopted where interruption is anticipated, and the speaker is prepared to meet it. A question or two discreetly put is almost certain to draw replies, and the speaker scores because he is able to take opponents on his own ground, instead of on theirs. During a bye-election in a district where feeling was at the moment running very high on the Education Act of 1902, a meeting was held in a Liberal stronghold. Opposition was expected, and did not disappoint expectations, the chairman's opening remarks being constantly interrupted. Knowing what there was to face, the speaker was prepared for it, and started at once on the most controversial topics in the Education question, framing remarks so as to draw interruptions. The ruse succeeded admirably. Five questions in as many minutes readily answered, simply because they were expected and prepared for, left the interrupters discouraged, and procured a hearing for the speech.

One word in conclusion. A speaker who is assisting in a contest, however accomplished and however eminent he may be, is there to support the candidate, not to supplant him. Just as every man in a cricket team should play for his side, not for himself, so in an election everyone taking part should have but one object in view, the success of the candidate he is supporting. This is a "tip" which some talkers are occasionally in danger of overlooking.

CANDIDATES.

SYNOPSIS.

CANDIDATES IN GENERAL.—Local home and habitation.—No hotel letters.—Disraeli standing on his head.

WHEN IS A CANDIDATE NOT A CANDIDATE?—The "prospective candidate" illusion.—General political work permissible.—Dangers of a personal campaign.—Member *versus* candidate.

CANDIDATES AND CHARITIES.—Charity right and wrong.—Distribution of charity.—Suggestions as to best method.—Gifts to individuals unwise.—Heading subscription lists generally undesirable.—Charity and corruption.—Colourable charity.—Unwise distribution.

INVESTIGATING A CONSTITUENCY.—Things a candidate ought to know.—Party position.—Association, condition of.—Registration.—Finding things out.—Early days in constituency.—Personality in politics.—Electioneering instinct.—Natural geniality and transparent humbug.—Local prejudices.

THE CANDIDATE AND THE ELECTION.—Banking account for election.—Maximum Expenditure.—Add Returning Officer's charges.—Personal expenses of Candidate.—Hospitality.

CANDIDATE'S ADDRESS TO ELECTORS.—Cutting it short.—Explanatory, not argumentative.—Holograph covering letter.

CORRESPONDENCE.—How to say "No."—Pledges exacted.——Lying rumour.—Attitude towards opponent.—Political enemies and personal friends.—"Will that suit you, Harcourt?"—Speeches at the declaration of poll.

CANDIDATES.

The classification of candidates into varying degrees of excellence forms no part of the objects of this book, but it is, of course, indisputable that a candidate with local ties, possessing many friends and as few enemies as possible

starts with a great deal in his favour. If to these be added some speaking capacity and political aptitude, a fair share of health and wealth, with a little electioneering instinct as a sort of general seasoning, the local party are indeed in enviable circumstances, for they have found perfection.

A stranger to the constituency is proverbially not the best vote winner, for the simple reason that the wide fringe of electors who are without keen political sympathies feel less interest in the man who is here to-day and gone to-morrow. However, and particularly when he comes forward as an eleventh-hour champion, even a stranger may manfully uphold the fortunes of his party since he thus gains the advantage of appearing to fight under an overwhelming disadvantage, a fact which recommends him to the chivalrous support of quite a number of electors, who will be drawn to admire his sporting spirit, whereas, if he had spent a few weeks or months in the field they might resent his supersession of local politicians. But suppose that the choice of a party happens to fall upon one who is a stranger to the constituency, while there is time, he would do well to improve his position by creating such local connections as circumstances permit. A house and home is not only an inestimable comfort, but it brings a candidate quickly into neighbourly touch with those around him. The law recognises that even a candidate must live, and charitably permits that necessity to be accomplished in proper bounds within the gates of his potential constituency; but when a house is taken for a few weeks pending the actual contest, the cost should be added to his return of personal expenses. It is hardly possible to commit a worse tactical error in electioneering

matters than to date letters, or addresses, or any communications to electors from a public hostelry, be it never so venerable or respectable. At the worst they should bear the central committee room heading, since an hotel address inevitably suggests ideas of a temporary visit, and even great men cannot afford to handicap themselves unnecessarily, when, like so many great men, they stand for places where they are known only by general reputation. Mr. G. W. E. Russell, in that fund of good stories, "Collections and Recollections," to which these papers are indebted in more than one instance, relates how Lord Beaconsfield, who while he was Mr. Benjamin Disraeli was a constant political pilgrim, on one occasion, as a stranger was fighting family influence and long tried services, when a voice in the crowd demanded what he was standing upon. "Sir," came back the reply from the hustings, "I am standing upon my head"; a retort which embodied a personal allusion in a delightfully impersonal way.

WHEN CANDIDATURE BEGINS.

Amidst the many difficulties which are inseparable from political warfare, one of the most perplexing problems which awaits solution, is to decide when a candidate is not a candidate. The Act of Parliament apparently puts the matter plainly enough by defining him as "any person who is nominated as a candidate at such election, or is declared by himself or by others to be a candidate, on or after the day of the issue of the writ for such election, or after the dissolution or vacancy, in consequence of which such writ has been issued." But in spite of these words it is now settled law that

candidature may commence before a dissolution, and if a campaign is entered upon having as its object the return to Parliament of a particular person, rather than the advancement of a policy or the success of a party, election expenses may be held to have begun. With a view to avoid the difficulty it has become a fashion to label the chosen person as "prospective candidate." While there is no intrinsic objection to the expression, if it is used merely as a subterfuge to hide the real state of affairs, it is utterly worthless. A man either is a candidate or he is not, and all the qualifying adjectives in the world cannot modify facts where he acts the part of a candidate and carries on a personal campaign designed to promote his own election to Parliament. An Election Court would in such circumstances, make very short work of a defence which rested upon the candidature being "prospective."

It has been held over and over again that no hard and fast line can be drawn, but that each case must be considered in the light of its own circumstances. There is nothing more usual than for a candidate who has made a good fight but who has been beaten, to be accorded a vote of thanks and an expression of his supporters' hope that he will fight again another day. He has taken a part in the political life of the district, and he is certainly entitled to continue to show his interest in the place, and to continue his political work. He need not formally label himself, nor need he carry on a personal campaign. But even before an election is imminent, if a campaign on behalf of any particular person is set on foot and pushed on, each and every expense of such campaign which can be allocated to the promotion of the election,

will fall within the expenses which the Act requires to be returned, and this whether the person in question be labelled, or not labelled, "candidate" or "prospective candidate," or any other fancy designation he may choose to adopt.

At the same time premature formal adoption as candidate has few advantages. Meetings at which resolutions to secure his return to Parliament are passed would probably be held to be an election expense, and while there is no reason to suppose that once one election expense has been incurred everything that follows must necessarily be of the same class, yet the fact of declaration of candidature might push over the borderline subsequent outlay, which, in the absence of such declaration, might safely be regarded as ordinary political expenditure.

CANDIDATES AND CHARITIES.

In this direction a sitting member is not in quite the same position as an attacking candidate. Many things may be done by a sitting member which an aspirant for membership, having the fear of the Corrupt Practices Acts in his heart, would be wise to leave undone. It will not profit a candidate to gain the whole constituency only to lose the seat on a petition. Nevertheless, in many constituencies almost the whole duty of man, when he is a candidate for Parliament, is to contribute generously to a multitude of undertakings. Now, charity is no sin, although some politicians would like to make it a Parliamentary crime. But indiscriminate charity is unwise because it is liable to be misinterpreted.

Methods of Distribution.

A few hints on charitable gifts by politicians may not come amiss. In the first place, all donations, even small ones, should be paid by cheque, crossed and payable to order, while a covering letter is desirable. The casual half-sovereign lends itself to traitorous designs. Moreover, it is a wise precaution to draw the cheque in favour of one person, presumably the treasurer, and post it in a letter to another person, presumably the secretary. Then, it is not the way of wisdom, above all on the eve of, or during an election, to give donations to individuals. The most poignant cases of distress will be brought to a candidate's notice—many only too genuine—but it is best to make a rule and to stick to it, that only undertakings of a public or a semi-public nature in which a number of people are concerned, shall be assisted financially. In this way, no individual receives direct personal gain, and accusations of personal bribery can hardly be sustained.

Except under special circumstances, a candidate or member is usually wiser to refrain from *starting* a subscription list. His name may be used as a lever, which is not at all desirable, and even when he has the closest personal knowledge of constituency affairs, he may, by heading the list, encourage a project which had better been left alone. Naturally, this does him harm. Again, if he gives before other local support has been obtained, he may overshoot the mark by giving a great deal too much, and those who have to follow his lead will not do so with the best of feelings towards his generosity. Promoters of testimonials or collectors for charities constantly make their first attack upon a member or candidate, but if a rule is made and adhered to, that a subscription

list started and in progress must be submitted, the path is made much more smooth and difficulties which otherwise are certain to arise can be avoided.

It would be pedantic affectation to suggest that the charitable gifts of politicians stand upon the highest plane of moral excellence. If virtue was its own reward a number of subscription lists would probably suffer, but charity, even political charity, need have nothing in common with corruption.

The charity, which has been called **colourable**, is not charity at all. It is bribery under the guise of generosity. Such, for example, would be the gifts on the understanding of political support, or desistance from political opposition, or so-called hospitality dispensed with an evil motive. A wide-spread distribution of coal tickets or any similar benefit is highly undesirable, since, however pure the motive, there is difficulty in presenting these transactions in a favourable light under the process of cross-examination. A candidate, in fact, should be like Cæsar's wife, whose husband's views on censorious opinion are a classic of our language.

INVESTIGATING A CONSTITUENCY.

But nursing is not the first problem which ought to present itself to the man who is honoured with an invitation to contest a seat. There are things a wide-awake candidate wants to know before he undertakes his task. If better preliminary inquiries were made, we should find fewer cases of political ill-health, the chief symptom of which is withdrawal from candidature. The party position should be the first consideration, and this is best proved by the condition of the local Association, and

the state of the Register. General statements should not be relied upon. Constituents in search of a candidate naturally have a tendency to put the sunny side of things in the front. It is his business to take a look round the shady side, since he may be very certain that there is no place to be got for the asking where all is sunshine, without shadow.

From the point of view of an inquiring candidate, a sound Association with healthy working branches, secures a long start, whether in county or borough. It means that there will be a chairman and local committees to support him. It also should mean a clean slate financially. On the other hand, a moribund association usually leaves a legacy of debt which a new candidate finds he has to clear off before a fresh start can be made; and many a man has had to pay the bill for the meeting ostensibly called by his party to choose him as champion in the fight.

Then the state of the Register should be examined, in order to see what is the voting strength of the party. Registration is work which costs money, and an intending candidate should come to some arrangement as to the share of this expense which will fall upon his shoulders. Frequently it is the lion's share.

These are the two main points, but there are others, such, for instance, as the personal support which may be expected from prominent residents, and a general idea of what a candidate would be expected to do in the way of subscriptions. It is not for a moment suggested, of course, that a haughty refusal is to follow disappointing disclosures; but the earlier the disclosures come the better.

His introduction to the party having been accomplished, a candidate usually finds himself cast upon his own resources. If he is succeeding a retiring member who has been a popular representative, he cannot ask better fortune than to be personally conducted, so to speak, by his predecessor. In no other way can he hope to learn the ropes so quickly, or to assimilate valuable knowledge about those whom he hopes to make his constituents. When he has to make the plunge alone, he must of necessity trust much more to his own personality. Nothing in politics counts more than strong individuality, but for success, it should be of the type which lends itself readily to electioneering. A pleasant manner, not essentially what is generally called free and easy, but one perfectly free from any tinge of condescension, goes a long way. Memory for faces and names is almost worth gold. It is related of an eminent politician that he could always recall a face, and when he could recall nothing else, he would ask sympathetically, "Well, and how is the old complaint?"—indicating in this way the familiar interest which is so telling in election work.

Some superior people condemn all such geniality as transparent humbug. All that can be said is that if it is humbug, it will not serve its purpose, because electors quickly detect and resent the fraud. Of course, there are those who can better adapt themselves than others, but it must be assumed that a man who devotes his time, energy and money to a political career has more than an ordinary share of the social instinct which leads him to enlarge the scope of his interests, and to be ready to sympathise with the difficulties, the pleasures, and the aims of those with whom his political work brings him in contact.

Electioneerers, no less than poets, are born, not made. In this matter, however, as in others, experience is a teacher not to be despised. Local topics should receive special attention. In large cities, contests are generally fought on broad national issues, so far as the purely political side is concerned, but in small towns or in county divisions, local sentiment is much stronger, and a candidate who is not native born or bred may do himself, all unwittingly, a great deal of harm by running counter to it. Old-fashioned Parliamentarians there are who still hold that a new member should not attempt to take any part in discussion at Westminster during his first Session at least. In their view it takes time to catch the spirit of the place, and, to a certain extent, this is true of many constituencies. There are districts to-day where the use of a motor car, or even a peculiarity in dress, would cost a candidate dozens of votes. It may be foolish, but it is certainly a fact, and the candidate who is wise in his generation does not stop to argue why. The longer he is in the field the more chance he has of getting thoroughly into touch with the electors before the actual fight begins. When that day comes, the greater part of the control of affairs passes over to the hands of the election agent, whose qualifications and duties we discuss elsewhere. The candidate should be most careful not to interfere with his agent's conduct of affairs by promises of employment about the election, or in any other way, while between candidate and agent there must be absolute confidence and frankness.

THE CANDIDATE AND THE ELECTION.

When the contest comes in view, it is advisable, as a rule, to open a special account for election purposes at a local bank, upon which the agent should have the sole power to draw. Usually the legal maximum is paid in, but there is no special object in this, because for one thing, there may not be occasion to spend the full amount allowed by law, while, on the other hand, the sum required for Returning Officer's security, which may amount to several hundred pounds—(*see* Appendix, page 173), and which must be deposited within one hour of nomination, has no relation to the candidate's own election expenses. Returning Officers' charges form, in fact, a heavy additional expenditure above and beyond what are technically known as election expenses.

PERSONAL EXPENSES AND HOSPITALITY.

While dealing with financial questions, it may be well to mention the personal expenses of the candidate. These include "the reasonable travelling expenses of a candidate, and the reasonable expenses of his living at hotels or elsewhere for the purposes of, and in relation to, his election." As lavish personal expenditure is open to obvious abuses, there was a desire to place a check upon extravagance in this direction. But it was felt to be contrary to common sense to lay down a law about what a man is to spend upon board and lodging. Clearly that which would be ostentatious extravagance in one case, in another would be a very ordinary outlay. The usual compromise, dear to the British temperament, was arrived at, and it was enacted that up to the sum of £100,

a candidate may discharge his own personal expenses, merely rendering a general statement of the amount to his agent. But all sums in excess of £100, must be paid by his election agent, to whom an account must be sent within 14 days after the election. Personal expenditure does not count towards the maximum election expenses, but the object of requiring payment through the agent, and inclusion in the accounts is, of course, to check such a scale of expenditure as would suggest corrupt or illegal practices. A person is not debarred from hospitality because he is a candidate for Parliament, and there is nothing whatever to prevent him from entertaining in a reasonable way, and on a scale he would adopt at any other time, even persons whose votes might be given to him. People are sometimes inclined to be dogmatic on this point, and to say "Thou shalt not." The law says food or drink shall not be given with a corrupt motive, which is a different commandment altogether. Naturally, however, a candidate would be excessively ill-advised to keep "open house," or to be noticeably lavish in his invitations or his entertainments, more particularly when an election is imminent, as his motives would thus be open to grave misconstruction.

ADDRESS TO ELECTORS.

The address to the electors, a matter which naturally occasions most candidates not a little anxiety, must be prepared early in the contest. In deciding what to put in so as to satisfy supporters, and what to leave out so as not to turn doubtfuls into opponents, the difficulties in the way are almost as great as those which beset that large and moderately estimable class of individuals who

pass their time trying to tread the narrow path which lies *between* right and wrong. Sins of commission are hardly more grave than those of omission, but the worst sin of all is inordinate length. The candidate's address is for the man in the street, and the average man in the street is much more interested in his half-penny newspaper than in a political discourse. If the address is to be read, much less marked, learned, or inwardly digested, the sound rule is **cut it short.** True, in country districts, more attention is paid by voters to the literature of politics, and an address may be longer and more explanatory. As a general rule, neither in town nor country should it be argumentative or condemnatory of the other side. Argument and condemnation are for the platform. The function of an address is to expound the views of him who issues it, and in some degree to let voters know what they may expect if they elect him. Generally, a portrait of the candidate appears upon the sheet, and this is a good plan. Sometimes, when the extra expense does not prevent it, the election address is sent out with a personal letter lithographed in the candidate's writing. There is something more personal about it, and all the letter need contain is a few lines saying that the formal address to the electors is enclosed. A copy should be posted to every one on the Register, and after this there does not seem to be much object in also bill posting the address throughout the constituency, as is often done. Bill posting is apt to be an expensive luxury, and in urban districts, at least, people do not stay to read a lengthy writing on the wall. Pictures make the best posters. Figuratively speaking, they strike the eye, and thus have a better chance of reaching the brains of passing voters.

CORRESPONDENCE.

Correspondence will demand a share of the candidate's attention, and the more care he can give it, either by himself or by proxy, the better. Minding his p's and q's in this matter, undoubtedly, pays. The matutinal letter-bag will produce a very miscellaneous assortment. Appeals for money are sure to be constant, but an experienced correspondent, in those cases where it is impossible to "pay, pay, pay," will so frame the rejection as to let the applicant understand how infinitely more agreeable it would have been to have sent a handsome donation. Years ago, manuals of the art of writing love letters were in great vogue. There appears to be an opening now for courses of instruction in the less romantic, but perhaps more important, branch of the art which is concerned with politics. There are many better ways of saying "No" than by the use of that particular monosyllable; nor is it always wise, in answering political conundrums by letter, to pin down future action too definitely, or too far ahead. Equivocation is fatal and detestable, but a saving clause has many virtues in dealing with attempts to fetter future freedom. Mr. Gladstone was a past master of an art which, in his case, was carried to a point of refinement not always appreciated by the "plain man." But, unless he is pretty careful, a candidate will find he has promised more than he meant. For instance, nothing is more common than inquiries whether such and such a Bill will receive his support. If the Bill has been issued and its terms are known to the candidate, he is in a position to give a definite reply, but when he is asked to support or oppose a measure he has not seen, or which is even not yet drafted, the answer should be confined

to his general views on the subject, and he should reserve freedom of action on the details of the Bill. Pledges of many kinds will be demanded wholesale—some reasonable, and some the reverse. When given, a pledge of general support or general opposition should be as outright and as strong as possible, but a number of inquiries as to opinions are little better than an impertinence on the part of those who invite the confidence. People from the ends of the earth, or, at least, beyond the bounds of the constituency, which from the candidate's standpoint is much the same, will not hesitate to worry him, in the heat of his contest, about all sorts of things—mostly foolish, as Carlyle would have said. Many members of Parliament refuse to notice these outside communications, feeling that their duty is done when they render an account to their own constituents, but it is not a matter on which a hard and fast law can be laid down.

OPPONENTS.

One other matter there is which a candidate should not overlook, and that is to keep an eye on the remarks of the other side. If their meetings are not reported, he should have a friend at each to take a note of wild statement or of any personal attack, so that it may not be left unanswered. The Act of 1895 has done something to check deliberate slanders, but, after all, it has hardly hit the real evil. Unless he has good grounds, one candidate does not often indulge in personal abuse of his opponent. It would be not only bad form but bad tactics, since an unfounded attack would disgust the better sort of voter. But, what a candidate would not countenance, is

occasionally done by undercurrents he cannot control. Sometimes, for instance, a rumour is set afloat (generally on the eve of the poll when there is no opportunity of contradiction) that a candidate's financial position is unsound, or his moral character unsatisfactory, or something else derogatory is spread abroad. As often as not, the rumour is an absolute lie, and an example of what cannot be described as anything but a dirty trick. When a candidate finds himself the victim of such conduct, his best plan is to publish instantly a clear denial, and he may, if he choose, add the offer of a reward upon conviction of an offender under the Corrupt and Illegal Practices Prevention Act, 1895. If he finds lies are being put about by way of helping his own cause, he should take an opportunity, or make one, of publicly dissociating himself from such tactics. There is much truth in the view that many voters are influenced by the personal, rather than the political, aspect of an election. But it is intolerable that a contest should be allowed to develop into a fight about personalities on a level with the language commonly attributed to the purlieus of Billingsgate. The political opinions and the public actions of an opponent are fair objects of criticism. Unfounded innuendoes against his private life, or his personal motives, are despicable weapons, the use of which is resented by fair-minded men of all parties. A candidate, indeed, rarely loses anything by remaining personally on good terms with his opponents. After all, the fight is one about principles, not about persons, and if a contest is properly conducted, there need be no diminution of political enthusiasm because personal ill-feeling is not allowed to enter into the question. Political enemies may well be personal

friends, yet some politicians deem it necessary to adopt in the constituencies a tone of punctilious stiffness, or something even worse, towards opponents, which in the House of Commons would be regarded as ridiculous. In their political views there was little in common between Mr. Balfour and the late Sir William Harcourt. After a particularly stormy encounter, when Sir William had been denouncing the conduct of the party opposite and demanding an opportunity for discussion of their iniquities, the Conservative leader, addressing the Speaker, proposed a day, and in momentary forgetfulness of the occasion, leaned across the table of the House, genially inquiring in an audible tone, "Will that suit you, Harcourt?" greatly to the amusement of both front benches. The incident is a slight one, but it indicates a spirit which might well permeate even the toughest political contests. Happily, there is one occasion on which in our electoral battles there is rarely any departure from the rules of courtesy and forbearance. After the declaration of the poll, it is customary for the successful candidate to move, and the defeated candidate to second, a vote of thanks to the Returning Officer. The heat of combat is over, and tradition, no less than good taste, requires a few pleasant remarks alike from victor and vanquished. The candidate who has lost, would refrain from the exhibition of bitterness. The candidate who has won, can surely afford to be generous.

THE CONDUCT OF AN ELECTION.

SYNOPSIS.

Intelligent anticipation.—"Conduct or management."—When does an election begin?—Not too soon.

Election Agent.—Candidate should not be his own agent.—Registration Agent first choice.—Local lawyers.—Politicians without law, and Lawyers not politicians.—Suspending Political Associations.—A Judge on Agency of Associations.—Individual assistance.

Private Meeting of Supporters.—Election of Committee officers.—Warning against unlawful acts.—Relief. Note of remarks.

Independent Associations.—Uncontrolled workers.—Dangerous politically and legally.—Avoiding agency.—Evils of Free Lance assistance.—Uninvited intruders.

Committee Rooms.—Limitation on numbers.—Unnecessary expenditure upon.—Situation of.—Central Committee Room arrangements.—Callers' room.—Ward and District Committee Rooms.—Written Agreements for hire.—Prohibited Premises.

Candidate's Address to Electors.—Best means of circulation.—Addressed envelopes.

Polling Cards.—Form of.—Specimen.—Workers exchanging information.

Paid Staff.—Sub-Agents in Counties.—Qualifications for appointment.—What must be supplied to sub-agents.—Village canvass.—Method of organising.—Sub-agents' expenditure.—Daily canvass report.—Clerks and messengers.

The Canvass.—Marked register.—Who may not canvass.—Necessity of canvass.—"Wobblers."—Daily return to Central.—Silence is golden.—Optimism.—And its discounts.—"Writing down" returns.

Public Meetings.—Arranging for meetings.

THE NOMINATION.—Forms; unnecessary multiplication.—Legal requirements.—Jurisdiction of Returning Officer.—Lodging security.

ELECTION EXPENSES.—Leaving a margin.—Items to be allowed for.—Printing, Advertising and Bill Posting.—The "Publicity" Bill.—Distribution of orders.—Proper estimates necessary.—Examination of publications in proof.—Central supply of literature.—Orders to be placed in Constituency.—Limiting Sub-agents' expenditure.—Central control essential.—Checking unauthorised expenditure.—Notice disclaiming responsibility.—Small expenses permissible by other persons.—Relief by Courts against inadvertent breaches of the law.—Daily review of financial position.—Vouchers for payments over 40s.—Legal period for payments.—Notification to send in accounts.

A FEW FACTS AND FIGURES FROM THE 1900 ELECTION.—Percentage of different heads of expenditure.—Counties compared with Boroughs.—Some formal duties of an agent.—Attack and Defence tactics.—Pleasing everyone means pleasing no one.

THE CONDUCT OF AN ELECTION.

An intelligent anticipation of events, while always useful, is especially desirable in those who undertake political work. Upon them it devolves to keep a watchful eye upon signs of the times, and they who best succeed in unravelling the riddles of the future generally command the electoral success which they undoubtedly deserve.

But the intelligent anticipator will do well to keep a corner of his eye upon the Statute Book, and remember the command: So far shalt thou go and no further, in its particular reference to election expenditure. Parliament has laid down a hard and fast scale, scarcely erring on the side of generosity, which strictly limits

the amount of money that may be spent in "the conduct or management of an election." This being so, it is unwise to enter upon the stage of conduct or management a single day earlier than is necessary.

The moment when an election begins is seldom easy to specify, but those who are in control of affairs can, with a little care, so regulate the matter as to steer clear of difficulties. Until Dissolution is actually in the air, or a bye-election is obviously imminent, any campaign which is undertaken must be with a view to support the general interests of a party and not the particular interests of the person who is, or who will be, a candidate.

ELECTION AGENT.

The first move in the election contest with which we are here concerned, is the appointment of an Election Agent. This is a step which must be taken not later than the day of nomination, but except in the case of a walk over, the appointment should be made early in the fight while the rival forces are preparing themselves for battle. The law insists that someone shall be set up to act as Controller and Paymaster-General, so to speak, for the purposes of a contest, permitting the candidate to undertake the duties himself if he chooses. The candidate, however, would do very much better not to choose. It is a sound maxim which discourages the doing of more than one thing at a time, and a candidate is likely to find his own work quite enough to keep him fully occupied, and to make him very glad of the co-operation of just the very best man he can get hold of for the many duties devolving upon an Election Agent. The law forbids,

on penalty of the election being avoided on petition, the appointment as Election Agent of any person who to the knowledge of the candidate has within seven years been found guilty or reported as guilty of any corrupt practice at a Parliamentary election. The Returning Officer of a county or borough, his deputy or the partner or clerk of either of them, or any officer appointed by the Returning Officer, cannot act as Election Agent in respect of an election in any such county or borough.

Who the election agent should be must depend on circumstances, but whoever he be everything depends upon him. The party Registration Agent, if he comes up to the high standard of legal knowledge and general efficiency now attained by the best men in that profession, has very substantial recommendations for the post. He knows and is known to members of the party, and he is necessarily familiar with the locality. He knows, or ought to know, local and personal peculiarities, and he should be able to guard against the employment of unsuitable or untrustworthy workers whether paid or unpaid. Failing the Registration Agent, a local lawyer is generally appointed, sometimes with excellent results, sometimes with very much the reverse.

That candidate is not to be envied who has to find his election agent among politicians ignorant of law, or lawyers ignorant of politics. The former may probably land him in a petition; the latter is hardly likely to seat him in Parliament.

As soon as the candidate has been formally adopted, or a contest has begun, it is well to pass a resolution formally suspending the action of political associations and committees as such, including ward committees, until

after the poll is over. This course lessens responsibility for past acts of unwisdom, should any have been committed by an association or its individual members, and it has the further advantage of giving the candidate and his agent some control over the persons whose assistance they are willing to accept. Each active supporter employed in carrying on the work of the election may be held an agent of the candidate, whether the assistance is paid for or voluntary, and if the support of an association is accepted *en bloc*, undesirables may be recruited without the chance of rejection.

The temporary suspension of the party association and committees is, in fact, very little more than a matter of form requiring merely the carrying of a resolution at a meeting with the necessary quorum. It does not prevent a single keen member from working his best, the only difference being that he works as the individual Jones or Robinson, instead of in his capacity of a member of the association. The form of resolution might be on these lines :—

"That, in view of the approaching Parliamentary election, this branch of the [Conservative or Liberal] Association be, and the same is hereby suspended until the.....day of....., until which date no officer or member shall have any authority to do any act on behalf of this branch of the Association."

In some cases the Central Association of the constituency, by passing such a resolution, could suspend not only its own work, but that of its branches ; it would depend upon the rules governing the constitution of the Association whether each branch should pass its own suspending resolution.

INDEPENDENT ASSOCIATIONS.

Do what he may, however, in these days of Leagues and Societies for the Promotion or the Prevention of anything and everything from the Care of Cats to the Suppression of Spitting, it is unlikely that any candidate will escape the attentions of some outside associations. More often than not opposition of this kind need not worry him, but a spice of danger lurks in support. If he or his agent allows the representatives of the society to be so identified with his cause as to become co-workers and assistants, the penalty for any misdeeds of theirs may fall on him. If they are paid by their own organisation for their services, as such political ambassadors often are, difficulties about election expenses and illegal employment may occur. All these evils can come upon the candidate only if there is such adoption and co-operation as to constitute the outside association his agent. The way of wisdom in most cases plainly is to leave them in freedom and independence. Efforts to keep societies out of a constituency generally fail, and a powerful organisation may do very useful and perfectly legitimate work for the cause the candidate represents—and therefore indirectly for him—without involving him in any liability for their actions. This end may be best attained by keeping the candidate's committee rooms quite distinct from rooms in which such outside association carries on its propaganda. The association speakers and workers may advocate views which the candidate holds; they may in fact, practically support his candidature, but their campaign must be absolutely independent of his. An independent Association is, indeed, not permitted to

expend money in respect of the conduct or management of the election, but under modern methods a vast amount of work is done at most elections by such associations on the system of advocating some particular policy, without directly, or at least without expressly, advocating the election of a particular candidate. There ought to be no constant passing to and fro from the candidate's committee rooms to those of the association, and while perfectly friendly relations may exist, every semblance of amalgamation must be avoided if agency, with all its accompanying responsibilities, is not to be created and cast upon the shoulders of the candidate. There should be no interchange of speakers on the respective platforms; nor should leaflets and literature circulated by any professedly independent association, be left about, or distributed from, the candidate's committee rooms. In short, the candidate should in no wise direct the operations of the friendly society, nor show any activity if he is a member of it.

The whole question was admirably summed up in the Bewdley case (3 O'M. and H. 145) by Mr. Justice Lopes (afterwards Lord Justice). He said:—

> "I desire shortly to allude to the position of political associations and the liability of candidates. It was contended that there was no privity between the respondent and this association, that their active members were not his agents, and that he was not responsible for their illegal acts. There appear to be persons who think that a candidate may escape the responsibility attaching to the acts of an agent by the employment of the active members of a political association, instead of an individual or individual

agents; if this could be done, the Corrupt Practices Act would become a dead letter.

"There may be, doubtless, in a borough a political association existing for the purposes of a political party, advocating the cause of a particular candidate, and largely contributing to his success, yet in no privity with the candidate or his agents, an independent agency, and acting in its own behalf. To say that the candidate should be responsible for the corrupt acts of any member of that association, however active, would be unjust, against commonsense, and opposed to law.

"There may, on the other hand, be a political association in a borough, advocating the views of a candidate, of which that candidate is not a member, to the funds of which he does not subscribe, and with which he personally is not ostensibly connected, but at the same time in intimate relationship with his agents, utilised by them for the purpose of carrying out his election, interchanging communication and information with his agents respecting the canvassing of voters, and the conduct of the election, and largely contributing to the result. To say that the candidate is not responsible for any corrupt acts done by an active member of such an association would be repealing the Corrupt Practices Act, and sanctioning a most effective system of corruption."

Free lance assistance is seldom an unmixed blessing. Effective control involves acceptance of agency; absence of control means that an independent organisation is in the field in no wise responsible to the candidate or his Election Agent. Methods may be intro-

duced which will offend or alienate supporters. Prominence may be given to topics which would be better left in the background. If persons without judgment or experience in election work are sent into a constituency incalculable harm may be occasioned, but the candidate and his friends are powerless to interfere, short of publicly repudiating the society and all its works—a proceeding likely to give the enemy cause to blaspheme and to afford them opportunities of preaching the approaching fate of a house divided against itself. The fact of the matter is that outside associations should not intrude their assistance unless they have reason to know that such assistance would be welcome. The conduct of an election is primarily the business of the candidate, his agent, and supporters, and they ought to be left to mind it in their own way, but this is a counsel of perfection unheeded under the modern mania for leagues and associations. One comfort is that the day must be approaching when the sole object left for the activities of a new association will be to agitate for the suppression of all other associations. In that day the path of candidates and election agents may be more smooth!

MEETING OF WORKERS.

An early opportunity should be taken of calling a meeting of recognised supporters and workers at which the general plan of campaign may be discussed. Representatives from each ward or district should be invited to attend in order that the needs and the desires of every part of the constituency may be duly considered in deciding upon the course of action intended to be adopted in the fight.

At this meeting the candidate or his election agent should speak very plainly upon the necessity for scrupulous observance of the law. Those present should be warned of the consequences, not only to the candidate but to themselves, of any corrupt or illegal practice, and a simple explanation of the points dealt with under the heading of Corrupt and Illegal Practices should be given. Having regard to the provisions in the Act of 1883 (Section 22), under which on the trial of an Election Petition the Court has power to exonerate a candidate from the consequences of trivial offences committed contrary to orders, where it is proved that neither he nor his election agent were guilty, but "took all reasonable means" to prevent any corrupt or illegal practices, it will be a wise precaution to get a friend to take a written note of the warning addressed to this meeting of supporters; or the list of things forbidden may be read out from a printed leaflet, which should then be preserved and marked as read at the meeting (*see* Appendix, page 172).

COMMITTEE ROOMS.

As soon as an Election Agent has been appointed, which means that the contest if not actually begun, is, at least, immediately imminent, he should take steps to hire his Committee Rooms. Where payment or compensation of any kind is made for their use, the law strictly limits the number in proportion to the size of the electorate (*see* Appendix, page 147, for Scale). No limit is laid down where the use is entirely gratuitous. In a county division an extra committee room is allowed to be hired for use as the "Central." In Boroughs, failing a kindly loan, the "Central" must be combined with a ward

committee room, unless, as usually happens, the number of electors on the Register permits of latitude in this respect. A large hole in the maximum expenditure permissible is often made—and unnecessarily made—by over-doing committee rooms. The "Central" may be required quite three weeks before election day, and it should be kept on, perhaps, one week after, for the delivery of accounts and "settling up" generally. Several rooms in an accessible and prominent place are necessary, while a shop frontage is desirable. One room should be dedicated to the candidate, another to the election agent, and a third for clerks attending to correspondence or matters of a confidential nature. Admittance to these rooms should be rigorously regulated. The bane of committee rooms are the gentlemen who hang round for hours at a time talking about all the work they are doing. Their own time is presumably without value, but if they are permitted to get into rooms where busy people want to *do* work, not talk about it, they waste time which is valuable. Where it can be arranged, the Central should contain an apartment which may be politely designated the "Caller's Room," and a clerk should be specially told off for constant attendance there, to interview workers, and to give information to enquirers. In this way every courtesy may be shown, while the time of the candidate and the agent is prevented from being frittered uselessly away by every casual caller. Earnest workers will appreciate the necessity for the rule and observe it. Ward committee rooms in boroughs, and District rooms in counties, are really needed only about ten days before the poll. In wards and districts also, wherever possible, two rooms should be secured for use and occupation on polling day at any

rate, so that quiet and privacy may be obtained for the work which has to be carried on. Other things being equal, a position close to the polling station is desirable. Committee rooms must not be hired by anyone except the election agent or his sub-agents. The agreement for the use of the room should be in writing (a 6*d*. agreement stamp is required), and should mention the rooms engaged; the rent; date to begin and end; arrangements for supply of firing, lighting and attendance. Oral agreements are objectionable from a legal standpoint, and open the way for disputes. **Prohibited premises must be avoided, even if offered free.** (*See* Appendix for list, page 147; also page 117.)

CANDIDATE'S ADDRESS TO ELECTORS.

It will now be time to consider the question of the Candidate's Election Address. Sometimes there is a good deal of finessing by both parties to postpone its issue until the other side's address has gone out. The idea is to get an opportunity in this way of capping an opponent's professions and promises, in the hope of obliterating any impression which has been made upon electors. Such tactics are of doubtful value, and in nine cases out of ten it is better for a candidate to issue his address without worrying about his opponent's. On another page, the tone an address should adopt is touched upon, and all that need be said here is to repeat the desirability of conciseness. Plain language in short sentences is the secret of attracting voters' attention. It is a mistake to enclose any general leaflets with an address.

The method of circulating the address is of some importance for the agent to consider. In counties there

is practically only one way—the post; and while in boroughs a hand delivery by contract may save a little money, the uncertainty of accuracy, the probable waste of time, and finally the small attention often paid by voters to door-step circulars, all point to postal delivery as the most satisfactory plan. It is always advisable to give the postmaster notification in advance, so that he can make the necessary staff arrangements to secure prompt delivery. Before the address can go out, envelopes have to be in readiness; usually a double set will have been stocked by the association in view of an election, and if so provided, they must be paid for at a fair market rate. Failing this, the clerks and such volunteer workers as are willing to help must get them ready, unless the work is put out to contract. The latter course is rarely desirable.

POLLING CARDS.

As early as possible the preparation of polling cards should be begun, and a draft should be carefully made, as the size and form both require consideration. Too big a card is a mistake, because electors are more likely to leave it at home. With the polling card, which is in the nature of a last appeal to the general electorate, it is usual to enclose some suitable party literature. If a portrait of the candidate has not accompanied his address, it may well be sent now with a personal letter touching on the importance of the contest. A trump card against opponents may fill the *back* of the card. Needless to say, this should not be a personal attack, but when some telling political point can be scored, especially one of local application, the back of the polling card comes in very usefully. The back page printing can be done after the front of the

card if necessary. Register numbers must be written on the face, and a separate batch of cards for each polling station must be struck off in accordance with information to be obtained from the Returning Officer. The register number should be written on the corner of the envelope to correspond with that appearing on the card enclosed. Nothing ambiguous or misleading to voters should appear on the card, and in this respect the following form has proved safe in practice :—

PARLIAMENTARY ELECTION.

.....
(Name of Constituency.)

Polling Day .....
From 8 a.m. to 8 p.m.

Your number on Register is.....

Your Polling Place is

.....

You are earnestly invited to vote early for *Mr. Robinson* by making a **X** on the Ballot Paper in the space to the right of his name, thus—

1	BROWN	
2	ROBINSON	X

Do not sign your name or put any other mark than one **X**, or your vote will be lost.

If you spoil a Ballot Paper, ask for another.

After marking the Ballot Paper in accordance with your intentions, fold it and put it into the Ballot Box.

After voting, kindly give this card to Mr. Robinson's worker (or to one of the collectors) outside the polling station.

YOU NEED NOT TELL ANYONE HOW YOU HAVE VOTED.

Printed and published by (*Name and address*).

The request to hand over the card, after voting, to the worker of one particular party sometimes leads to misunderstanding, as voters may feel that they are thereby

"labelling" themselves. If the contest is being fought in the right spirit, workers can easily agree to compare notes fairly, and then it is of less importance which side's representative actually collects a card. Such an arrangement is certainly to mutual advantage, but, of course, it would work serious mischief if, having been made, it is not loyally adhered to by both sides. The course to be adopted must depend upon the circumstances of each case.

PAID STAFF.

The agent's next step is to arrange for the paid staff, as to which the legal regulations are very stringent.

SUB-AGENTS (COUNTIES).

In counties a sub-agent may be appointed for each polling district, but it is not unusual to put two or three districts together, in order to save unnecessary multiplication of fees. **The sub-agent represents the election agent, and a breach of the law by him is of equal gravity.** It is unlikely that legal experts can always be secured, but a sensible local man who can be trusted to stick to the law, and who knows something about election work, should be appointed. His duties are to superintend the district canvass, to arrange for local meetings, and generally to act as the representative of the election agent. Obviously the selection of dependable men for the work is of the utmost importance, as a great deal of local responsibility falls upon their shoulders. The necessary forms and literature should be forwarded in good time, together with sufficient copies of the Register for their districts, one for marking the canvass results up to date, one for the polling agent at each polling station,

and two to be cut up to make the wall sheets for use on polling day.

It is generally desirable to allow sub-agents to engage the clerks and messengers who will work under their directions, but if time allows the names may be submitted to the Election Agent for approval.

The canvass of the villages in his district must be organised by each sub-agent, and the best method is a visit to each parish or village in order to enlist the services of workers, who ought to be known to him. A man popular in the locality will readily enlist workers, all of whom he must warn against irregularity. In each village one person must be found to undertake the supervision there, and to forward each day to the sub-agent a return of the results up to date, which it will be the sub-agent's duty to aggregate and send on to the Central Committee Room. Canvass cards should never be allowed to get into the possession of unauthorised workers, and canvassers when enrolled should be pledged not to pass any cards from hand to hand, but to return them direct to the person responsible for the village canvass.

No liability for general advertising or bill posting should be permitted to be incurred by any sub-agent. Except purely local matters, all "publicity" expenditure should be made by the Election Agent alone, but it will be often found convenient to leave to the sub-agent the arrangement and local control of bill posting in his district. Thus, the bills and placards would be sent from the Central Committee Room to be posted by the person selected at a price previously fixed, the sub-agent exercising his discretion as to the best positions and any matters of detail in which his local knowledge would be useful. The main

point is that control of the total amount of this branch of expenditure must be kept in the hands of one person directing operations generally from the constituency head-quarters.

A written agreement should be made fixing the fee for each sub-agent, and limiting his expenditure. The Election Agent, as part of his plan of campaign, will apportion out the sum available for each district, and sub-agents should be clearly instructed that no extra expenditure can be allowed without special reference to head-quarters. This is a rule which must be strictly adhered to or money matters will get into a mess, as experience proves that the legal maximum leaves small margins. Each sub-agent should be instructed to report progress daily, so that at any moment the Election Agent may see how the canvass stands, and put his finger on weak places, which require attention from head-quarters. Needless to say, every sub-agent should be warned as to illegal practices, and should be supplied with a simple statement of the law.

CLERKS AND MESSENGERS.

In boroughs no sub-agents can be appointed, while both in boroughs and counties, the number of clerks and messengers permitted is regulated by the number of electors, with the distinction that in a county at least one clerk and one messenger may be employed at the Central Committee room above and beyond the number allowed by the scale in each polling district. (*See* Appendix, page 164.)

THE CANVASS.

The machinery has now been provided. Upon its working efficiency the result of an election will largely

depend. It has been assumed that registration has been regularly attended to, and that the Election Agent has access to carefully kept records upon which he is able to estimate the position his party holds.

If registration has been neglected the party will probably find itself in evil case on the day of battle, and the agent must only rely on such information as he can gather from local supporters, coupled with the best canvass that it is possible to organise.

The canvass must, of course, be entirely voluntary. It is an offence for the candidate to appoint as a canvasser any person who within seven years has been found guilty of, or reported for, a corrupt practice, and no such person ought upon any account to be permitted to take active part in an election. Whether or not the Register has been attended to, a complete canvass is essential on the eve of an election, and in the section on "Workers," a few practical suggestions will be found, with reference to this most important part in the conduct of an election. It has to be remembered, in spite of the Gilbertian couplet which declares

> "That nature always does contrive
> That every boy and every girl
> That's born into the world alive
> Is either a little Liberal
> Or else a little Conservative."

elections are constantly lost or won by the votes of electors without settled political convictions.

Hence the prevalence of canvassing and its great importance. Upon the energy and accuracy of those who undertake the work, a great deal, and in some contests practically everything, depends. The candidate and his agent, therefore, would naturally urge upon the different

wards or districts the necessity of enrolling trustworthy recruits for the service. It has been already stated that a daily return to the Central committee room from each polling district in a county, or each ward in a borough, must be insisted upon. Forms can be secured from party head-quarters, and should provide for the following analysis :—

1. For.
2. Against.
3. Dead, or cannot vote.
4. Removals.
   (Address unknown).
5. Double qualifications.
6. Doubtfuls.
7. Uncanvassed.

Total Electors

These returns must be treated strictly as confidential documents, which never pass from the keeping of the Election Agent, and a discreet agent locks the result in his own bosom, unburdening himself not too freely even to the candidate. When rosy canvass returns are bragged about, workers are apt to save their legs by resting on their oars, as an Irishman might express it, while if the tidings are evil many a faint heart, tired of an irksome job, is only too ready to throw up the sponge. Silence, then, is distinctly golden. If all secrets could be known the chances are that in most contests the canvass returns of both sides show a majority for their own candidate. The personal equation enters too largely into this matter to offer an exactly accurate result, and the balance of

probability is heavily inclined on the bright side of things since the average canvasser—possibly above all the lady canvasser—is apt to magnify politeness into promises, while the badgered voter thinks he may more easily rid himself of enquirers by apparent assent to their wishes. But an Election Agent must be a cold-blooded creature when he is dissecting returns, and be imbued moreover with a doubting spirit. First, then, he decides what percentage of the total electorate may be expected to poll. Usually, this ranges between 80 and 90 per cent., the figure rising in sympathy with the state of organisation which both parties have maintained. If he takes 85 per cent. he may probably be near the mark. Next, the promises "for" must be considered. Let us hope they show a clear majority in his favour, for, unflinchingly, a heavy discount must be applied. Twenty per cent. is hardly an excessive deduction, and from the figures thus arrived at, all "doubtfuls" must not merely be deducted, but added to the other side. Take, for example, a constituency with 15,000 electors. Of these there may be expected to poll, say, 85 per cent. (12,750).

Promises for say		8,500
Deduct 20 per cent.		1,700
		6,800
Against :—		
(1) Definitely	5,500	
(2) Doubtful, &c.	1,000	
	——	6,500
Estimated majority		300

This is, perhaps, drastic treatment, and where the Election Agent has real personal knowledge of the constituency and its electors, a closer estimate may be formed. It is again a question of the attention which has been paid to organisation anterior to the contest.

PUBLIC MEETINGS.

Besides the canvass, an Election Agent has to supervise arrangements for public meetings. In a county division, with a number of scattered villages, the task is no light one, but even where it is necessary to leave some of the details to others, the agent should control and superintend matters, with a view to arranging fixtures in such a manner as will enable the candidate to appear at the largest number of gatherings during the contest. The agent, or a capable organiser acting under him, should take care that rooms are duly engaged and the meetings are properly advertised, while a common form of chairman's agenda should be drawn up as well as wording of the intended resolutions, leaving as small a loophole for mistakes as possible. District chairmen, of course, should be consulted, and while the agent should make himself responsible for outside speakers, local men selected by the local officers should on no account be passed over for the duty of proposing votes of thanks, &c. Some further suggestions in this connection will be found under the heading "Political Meetings." In many constituencies it will be found desirable to hold open-air meetings at suitable spots in addition to the indoor meetings arranged.

THE NOMINATION.

Directly the writ has been issued, preparation must be made for the nomination of the candidate upon forms in accordance with the pattern set out in the Ballot Act. There must be at least one nomination, and as a slight inaccuracy invalidates, it is the custom to hand in a large number. Each form must be signed **after full particulars have been inserted to meet the requirements of the Ballot Act** (signature "in blank" has been held bad) by a Proposer and a Seconder, followed by eight Assentors—all ten of whom must be registered electors in the constituency. While it is sound policy to secure a separate nomination from various wards or districts, the unreasonable multiplication of nomination forms sometimes indulged in has nothing to recommend it. Far better is it to get an adequate number, say a dozen, representative of the different localities, or as is sometimes preferred, of different professions, businesses, and trades in the constituency. An elector is only entitled to sign as many nomination papers as there are vacancies. The Returning Officer must fix the Nomination Day in accordance with the statutory time table—(*see* Appendix, pages 187, 188)—and the **form must then be handed to him either by the candidate or his proposer or seconder,** who are the only persons, besides one chosen by the candidate, who are legally entitled to attend as representing a party in the fight. Nomination papers may be objected to, at the time of delivery, on the ground of insufficient or inaccurate description of the candidate, and, within one hour after the time appointed for the nomination, for non-compliance with statutory requirements, or on the ground that any person signing is not

on the register of electors in the constituency. The Returning Officer's jurisdiction does not extend to objections attacking the qualifications of the candidate. His decision, if against an objection he has power to entertain, is final; and, if upholding one, is subject to review only upon an Election Petition.

LODGING SECURITY.

Security for the Returning Officer's charges (Scale, *see* Appendix, page 176) must be lodged one hour after nomination, and it is as well to be provided for the purpose with bank notes, as the Returning Officer cannot, of course, be compelled to accept a cheque, which is not legal tender.

ELECTION EXPENSES.

The question of election expenses must be kept ever in sight by those responsible for the conduct of affairs. One of the very first things to be done is to set down an estimate, which should never under any circumstances mortgage resources up to the hilt. An experienced Election Agent, like a bibliophile, prefers wide margins, since in a contest nothing can be foreseen with absolute certainty save the entirely uncertain. A latitude of 15 to 20 per cent. is, therefore, advisable on first estimates, while past expenditure, which is or may be an "election expense," must not be overlooked where it is necessary to allow for it. Envelopes, for instance, are sometimes kept ready addressed by a political association, and if one or more sets are handed over for the purposes of the contest, a fair price must certainly be allowed. The chief items of outgoings will be:—

(1) Election Agent's fee.

(2) Sub-agents' fees (in counties).

(3) Clerks at ___ per week or day.

(4) Messengers do. do.

(5) Polling Agents (if paid).

(6) Hire of Central Committee Room.

(7) Hire of other Committee Rooms.

(8) Hire of halls and rooms for meetings.

(9) Registers of electors (procurable from Town Clerk—in counties from Clerk of Peace—at prices up to 10s. each, according to number of names).

(10) Canvass Cards.

(11) Printing (including Polling Cards).

(12) Press advertisements.

(13) Bill posting.

(14) Distribution of address, literature, and polling cards, *if not sent by post.*

(15) Postages—

(a) Address.

(b) Polling cards.

(c) General.

(d) Telegrams.

(16) Stationery.

(17) Miscellaneous (limit allowed, £200).

It has to be remembered also that where there are two joint candidates at an election, the maximum amount of expenses is reduced by one-fourth, or by one-third, where there are more than two.

By the time these items have been provided for in the provisional estimate it will be found that money must be used carefully to bring the total expenses out on the right side of the maximum. In county contests, where the scale is more generous, the fees of the agent and sub-

agents eat up a large sum. In boroughs, printing, advertising and bill posting are generally the heaviest charges, and in every election, whether county or borough, the "publicity" bill will need the closest watching, as may be seen from the table given below of various heads of expenditure during the General Election of 1906. The agent will find himself like the Psalmist "compassed about on every side," and diplomacy suggests a discreet scattering of favours among the eager applicants for custom. Having regard to labour questions it is well to avoid establishments looked upon with ill-favour by reason of long hours or short pay, but in any case it is a big mistake to put all the plums into one person's pocket. Trade rivals turn jealous, and the candidate loses support, a state of affairs which is avoided when orders are fairly equally distributed.

Only upon the strongest grounds should work be placed outside the constituency. The most ardent free trader draws a line at election times, and looks to his candidate to support home industries.

Proper estimates should be secured in all cases for printing or bill posting, and, bearing in mind the fact that the issue of a bill, placard, or poster without the name and address of the printer and publisher upon its face is an illegal practice, the agent himself, or a thoroughly trustworthy deputy, should rigorously examine a proof of all printed documents before they are allowed to be issued. Where any criticism upon actions of the opposing candidate is indulged in, the utmost precision and accuracy in any statement of facts is absolutely essential.

Leaflets, election literature, and, to a large extent, placards and posters are now generally supplied at a

moderate charge from the Central Office of each political party, but even these should pass under examination before they are scattered broadcast. An unsuitable poster, or an unfortunate allusion, may offend local susceptibilities and do a candidate infinite harm. Notices of meetings and special reports of meetings, often a most useful form of getting into touch with the electors who do not attend them, must, of course, be specially printed.

Usually there are certain spots considered to be particularly advantageous for bill-posting purposes, and at election times there is apt to be a considerable demand for the rights on such places. The agent would do well to bear a matter of this sort in mind, so that he may be the first to secure the best bill-posting stations. Sometimes "fly" posting is resorted to—that is the placing of placards on walls or fences which are not specifically devoted to such purposes. The practice is a doubtful one. In the Metropolis it is an offence against the law, punishable before the magistrates, to plaster bills on the premises of any person without his consent, and even in those districts in which there is no Act in force making it an offence punishable summarily, it is not legally permissible for one person to interfere in such a way with another person's property. Fly-posting is apt to cause a good deal of irritation among those whose premises are disfigured, and so far as economy is concerned, while the advertisement charge of a recognised bill-posting station is saved, fly-posting often becomes more expensive than legitimate work, owing to the activity displayed as a rule by rivals in sallying forth, paste-pot and posters in hand, to cover every "flied" bill of their opponent they can lay eyes—and hands—upon.

The Election Agent is the person who must make all payments. In counties, he may delegate the power to sub-agents in their districts, but this course should be sparingly adopted, and a limit should be strictly laid down for each sub-agent in his written appointment, and should be strictly adhered to. It is desirable to arrange as a term of employment that if the stated limit is exceeded the fee of the sub-agent is reduced in proportion. The only chance of avoiding money muddles is for the head Election Agent to be what the law intended him to be—Paymaster and Controller-General. In writing he can, and of course should, authorise certain clerks and messengers to pay ready money for petty expenses to an amount stated. Life would not be worth living if every sixpence for every telegram should come literally from the hand of the agent, but with a view to see how the money goes, frequent returns from every committee room should be insisted upon.

Probably because the spending of money is pleasant —particularly when it is other people's money—persons are very apt to make purchases or to give orders for goods ostensibly on behalf of the Election Agent. Payment by anyone except the authorised agent (and in counties the sub-agents) is an offence against the law, and in order to prevent such practices it is desirable that a notice should be displayed in every Committee Room that no responsibility for such proceedings will be admitted. A similar notification may well be sent to printers and others with whom dealings in connection with the election are likely. Every order should be in writing, and bear the agent's signature. An order form book is useful, and has the advantage of preserving in its counter-foils a consecutive record of expenditure. Invoices with

goods should be required in every case, so that a proper check can be kept on charges.

Whilst all election expenses must be paid by the Election Agent, other persons are permitted to pay out of their own money for any small expense legally incurred, if such sum is not repaid. This allows friends to pay for such items as telegrams they may send in connection with the election, or for casual cabs, &c., but the section does not extend to cover anything in the nature of substantial expenditure.

Towards polling day, the agent or a capable deputy should have returns every twenty-four hours made up, so as to show the exact financial position.

All payments, other than petty cash expenditure, should be made by cheque, and all items, except those below 40s., must be vouched for by a receipted bill, to be filed with the declaration of expenses. Obviously care must be exercised that nothing contrary to law is incurred. Prompt payment is wise, and payment within 28 days of the declaration of the result is compulsory. Subsequent payment is an illegal practice, a point which a badgered agent may find it necessary to impress upon claimants who have neglected the notification—which should be publicly advertised—to send in their accounts within 14 days of the poll.

It may be mentioned that a circular of thanks to electors, issued after the poll, is not an election expense, and need not be included therefore in the returns.

Under Section 23 of the Corrupt Practices Act, 1883, where, through inadvertence, the maximum expenditure is exceeded or other irregularity is committed, application can be made to the High Court or an Election Court for an indemnity, but it would be a mistake to place too much

reliance upon this provision, as the Courts have not shown themselves very ready in extenuating breaches of the Act.

FACTS AND FIGURES FROM 1906 ELECTION.

It may be of interest to note that, at the election of 1906, there were 7,264,608 electors upon the Register. The number of votes polled was 5,645,104, and the average cost per vote, excluding uncontested elections, came out at 4s. 1¼d. each vote. There were 1,273 candidates for 670 seats, whose total expenditure (including Returning Officers' charges and personal expenses) was £1,166,858. The maximum for election expenses under the Corrupt Practices Act was £1,215,630, whereas the actual expenditure returned was £958,921. Personal expenses returned accounted for £64,054, and Returning Officers' charges for £206,334. Both of these items it will be remembered are independent of the maximum scale. For what it is worth as a guide to the relation of various heads of expenditure, the following table shows approximately the percentage of various items to the total in England only, contrasting counties and boroughs :—

	Boroughs.	Counties.
Agents' Fees (and in Counties Sub-Agents)	11·	25·6
Clerks and Messengers	17·	13·5
Printing, Advertising, Stationery and Postage	54·8	44·4
Public Meetings	3·3	3·4
Committee Rooms	6·6	4·9
Miscellaneous	7·3	8·2
	100	100

It is unnecessary here to set out in detail the various formal duties which devolve upon the agent. He must notify his own and sub-agents' appointments to the Returning Officer. Personation agents and counting agents must be appointed and must make the declaration of secrecy; and their names must be notified to the Returning Officer. Finally the return of expenses, accompanied by declarations in the required form, must be sent to the Returning Officer. A time table setting out in proper order the different matters requiring the attention of the Election Agent will be found in the Appendix.

The tactics to be adopted in a fight naturally depend upon local circumstances, but between attack and defence a great gulf is fixed in political no less than in military warfare, and oblivion of this fact often upsets the equanimity of well-intentioned supporters, who are apt to fancy that their member is not displaying sufficient activity.

Defence is often difficult, because some persons are sure to be discontented or offended by what they regard as sins of omission or of commission by the sitting member. He has given to this; or he has not given to that. He has voted for one thing, or made a speech in opposition to another, and of all these iniquities the agent may be certain he will hear when a contest draws on. The grumblers must be met with such mental soothing syrup as can be administered, but it is well to bear in mind that the politician who tries to please everybody inevitably ends by pleasing no one—not even himself. Defence of a seat rouses less enthusiasm very often among supporters, and the dangers of apathy and over-confidence must be reckoned with.

On the other hand, an attack demands the more

attractive policy of dash and initiative. Even in a forlorn hope, workers enjoy the excitement of "going for" the defending party. The idiomatic turns of our language express neatly the distinction between the attack of a candidate, and the defence of a member, in the phrases standing for a constituency, and sitting for one. But whether engaged in defence or in attack, it is perfectly certain that during a contest there can be few idle moments for the person, be he candidate or agent, who is responsible for the conduct of an election.

CORRUPT AND ILLEGAL PRACTICES ACTS.

SYNOPSIS.

The Act of 1883.

Corrupt Practices and Illegal Practices.—The distinction.

Agency.—Ordinary law.—Election law.—Responsibility for acts forbidden.—Who is an agent?—Facts to prove agency.—A judge on Agency in Elections.—The Election Agent.—Workers he enrols are agents.

CORRUPT PRACTICES.

(1) Bribery.—What is in law.—Receiver is punishable.—Offer of employment is bribery.—Corrupt payment of rates.—Employer may pay men for time while voting.

(2) Treating.—Standing drinks.—What is treating.—Political entertainments.—Innocence appearing as guilt.—Restraining generosity.

(3) Undue Influence.—A common cry.—Influence, due and undue.—Temporal or spiritual injury.—General intimidation or riot.—Freedom interfered with.—By employer towards workmen.—By customer towards tradesman.—Clerical influence.—Permissible and not permissible.

(4) Personation.—What is.—Prevalence in large cities.—Felony without option of a fine.

(5) False Declaration of Election Expenses.—Candidate engaging corrupt canvasser.

ILLEGAL PRACTICES.

A. *Avoiding election if committed by any agent.*—(1) Payment for conveyance of voters.—(2) Payment for exhibiting bills.—(3) Payment for excessive Committee rooms.—Stale demands on this account.—(4) Payment of expenses otherwise than through election agent.—Exception for authorised petty payments and for small expenses independently paid.—(5) Disorder at political meetings.

B. *Avoiding election if committed by Candidate or Election Agent.*—(1) Providing money for unlawful payment.—(2) Exceeding maximum allowed.—(3) Using prohibited vehicles for conveyance of voters.—Knowledge essential.—(4) Payment for music, ribbons, or marks of distinction.—A provision rarely obeyed literally.—Hat cards case.—Rosettes "illegal ornaments."—Selling rosettes.—(5) Illegal employment.—(6) Publishing placard without name of printer.—(7) Use of prohibited premises as Committee Rooms.—Premises prohibited.—Committee Room at political club dangerous.—(8) Voting when prohibited.—Persons paid may not vote.—Agent must instruct them.—(9) Publishing false statement of withdrawal.—(10) False statements about Candidate.—Corrupt Practices Act, 1895.—Instance of statement within Act.—"Shooting foxes" in hunting constituency.—(11) Corruptly inducing withdrawal of Candidate.—(12) Paying claims barred.—(13) Paying election expenses after time limited.—(14) Not transmitting return of expenses.—(15) Not transmitting declaration of expenses. (*See* Appendix I. for text of sections.)

PENALTIES AND PUNISHMENTS.

The absolute necessity for knowledge on the part of every person who takes any share in an electoral contest of what is, and what is not, lawful and right, calls for a simple statement upon some of the legal aspects of political warfare.

CORRUPT PRACTICES AND ILLEGAL PRACTICES.

The Act of 1883 prohibits not only corrupt practices, or things done with a corrupt intention, but also practices which Parliament has classified as **Illegal,** that is, "things which the Legislature is determined to prevent whether done honestly or dishonestly," to quote a definition laid down by Mr. Justice FIELD, in the Barrow-on-Furness petition.

AGENCY.

But the real difficulty of election law arises out of questions of agency. In the ordinary circumstances of life, when a man hands over any of his affairs to another person with authority to act as his agent, he incurs heavy responsibility for what that other person may do on his behalf. But in ordinary matters there is a well-defined limit beyond which a principal cannot be held personally answerable for an agent's wrong-doing, committed in defiance of instructions. The principal, for instance, is not assumed to have authorised offences against the law.

In election law the position is entirely altered, and the act of a person held by the Court to be an agent may land an unhappy candidate in all the delights of an election petition, involving expenditure of his money and possible loss of his seat, although he may have distinctly forbidden the proceeding complained of. A candidate may say out honestly, "Do not bribe; I will not be responsible for it" but his honesty avails him little if bribery can be traced home to a person who is proved to be one of his agents. The all-important question, then, must be, Who is an agent? And, unfortunately, this is just the question to which a precise answer cannot be given. But this, at least, is clear, that whenever a person is allowed by a candidate or his election agent, or has their sanction to assist in the election, or to carry on any substantial part of the business of the election, that is some evidence upon which he is liable to be held an agent, for whose acts the candidate is responsible. For example, canvassing, membership of a political association which is supporting the candidate, or membership of an Election Committee are matters from which agency may be held to exist.

In a judgment dealing with this point, Mr. Justice BLACKBURN put the position so plainly that it will be of service to quote here a short extract. He said :—

> "No one can lay down a precise rule as to what would constitute evidence of being an agent. Every instance in which it is shown that, either with the knowledge of the member or candidate himself, or to the knowledge of his agents who had employment from him, a person acts at all in furthering the election for him, in trying to get votes for him, is evidence tending to show that the person so acting was authorised to act as his agent. It is by no means essential that a person so employed, in order to be an agent for that purpose, is paid in the slightest degree, or is in the nature of being a paid person."

The Legislature insists upon the appointment of a recognised **Election Agent**, through whom alone all payments must be made, in order that there may be one responsible person, so that corrupt or excessive expenditure may be more easily traced. It is not, however, from his election agent that a candidate is likely to find himself in difficulties, but from the acts of well-meaning persons, whose enthusiasm it is hard to repress, and whose carelessness or ignorance may imperil his seat, even though he has never so much as laid eyes upon them, and still less has countenanced their breaches of the law. Sanction to assistance, sufficient to constitute agency, may be given by the duly appointed election agent, and (in a county) by his sub-agents, and possibly also by unpaid persons, who are themselves prominently assisting the candidate in his contest.

Under these circumstances the importance of a knowledge of good and evil in the electoral sense is tolerably apparent.

CORRUPT PRACTICES.

First, with regard to corrupt practices, which, as we have already stated, present fewer difficulties, since if committed at all, they must be committed with an evil mind and with open eyes, as no man can be guilty of corruption inadvertently. The corrupt practices which avoid an election if committed by a candidate or **by any agent of** a candidate are **Bribery, Treating, Undue Influence,** and **Personation,** whilst knowingly making a false declaration of Election Expenses is a corrupt practice whether done by the candidate or his election agent.

Bribery.

Our friend, the man in the street, has a very fair general notion of what constitutes bribery, by which he understands the passing of money for a corrupt purpose. The legislative definition is of necessity somewhat more lengthy and sets out between thirty and forty verbal variations of the offence. (Corrupt and Illegal Practices Prevention Act, 1883, Sched. III., Part 3, *see* page 141.) For practical purposes, we shall get near enough to an exact understanding of the matter by stating that **every person is deemed guilty of bribery, who by the gift, loan, offer, or promise** of—

(1) **money,**
(2) **money's worth,**
or (3) **employment,**

to a voter, or to anyone, induces or attempts to induce any elector to vote or to refrain from voting, or who does

such act subsequently on account of an elector having voted or having refrained from voting.

The receiver is condemned equally with the giver a fact which may be usefully pointed out in case any corrupt proposals are made, while in some constituencies public advertisement of the pains and penalties attaching alike to briber and bribee is not without its uses, even in the present enlightened day.

Many people imagine that only the actual passing of a coin of the realm can be bribery. An unfulfilled promise equally constitutes the offence; and it should be particularly noticed that an offer of employment made to influence a vote is bribery, just as much as the gift or promise of money. The corrupt gift or promise may be made indirectly; for instance, a benefit conferred upon the wife or family of an elector with a corrupt intention is bribery, and entails its pains and penalties. The corrupt payment of rates is also bribery. Payment for time lost while voting, or payment of travelling expenses, is bribery, but by a special Act of Parliament, passed to remove doubts as to the state of the law, an employer may allow his men time to vote, without deduction from their pay. The privilege must be granted equally to all alike, and permission must not be given with a view of inducing men to vote for any particular candidate, nor be withheld from anyone for the purpose of preventing him from voting for any particular candidate. (Corrupt Practices Act, 1885.)

Where bribery is proved to have been so prevalent that a free election was impossible, the election is void, even although the candidates had no part or lot in the wrongdoing.

Treating.

This is another form of corrupt practice which presents great dangers to a candidate. A few drinks offered with a wrong intention may unseat him, and when we consider how readily agency may be inferred, it is clear that very grave warning of the consequences should be brought home to every active supporter in an election. Petition after petition has been presented on the strength of "standing drinks." As Mr. Justice Wills remarked in one :—

> "There is inherent in a great many people with whom we have had to deal in this enquiry, the habit of giving and accepting drinks ; it is as natural for them to treat and be treated, as it is to have their breakfast or their dinner, or anything else that forms part of their daily life ; and to suppose that such habits would be dropped at election time is preposterous."

Yet, notwithstanding this instance of habit becoming a second nature, if drinks are given with a view of influencing votes an election is liable to be avoided. The corrupt provision of food or drink either before, during, or after an election constitutes the offence of treating. (*See* Appendix, page 178.) The food or drink must be **given with a view of influencing votes, not necessarily of turning votes**, since, as has been well pointed out, treating is more often resorted to for confirming the zeal and increasing the interest of those who are considered to be already supporters.

Questions have frequently been raised with regard to large political entertainments held when an election is in

view. For instance, a petition was presented where, after successfully contesting an election in July, the member entertained about 8,000 people at a school and temperance treat in his park. A treat was usual, but on a smaller scale, and it was sought to prove that the entertainment, which was not limited to political supporters, was given with a view to an expected General Election in the following November. The attempt failed, because it was held that there was no corrupt intention. But it is more prudent for those who are helping a candidate to hold themselves even above suspicion. It is hardly pleasant for a man's election to depend upon the view taken by the Court, of the intention with which half a dozen drinks were stood in a public house. It may be the most innocent hospitality, but at election time it is certainly injudicious, particularly if people accept a drink and walk across the road to tell the tale in an opponent's committee room. Innocent hospitality begins to wear the garb of guilt under such circumstances, and happy the candidate whose agent can persuade his supporters to restrain their generous instincts at any rate on occasions when they are engaged in any way in working for his cause. As in bribery, he who is treated is equally an offender before the law with him who treats.

Undue Influence.

Vague charges of undue exercise of influence are the commonest form of complaint by the losing side in an election. How many times has it not been declared that such and such a landlord, or an employer of labour, or a minister of religion has brought an unfair influence into the scale? Sometimes such charges are justified, but more often they

arise from the irritation not unnaturally connected with defeat in a contest. As was pointed out by a learned Judge :—

> "The law cannot strike at the existence of influence. The law can no more take away from a man, who has property, or who can give employment, the insensible but powerful influence he has over those whom he can benefit by the proper use of his wealth, than the law could take away his honesty, his good feeling, his courage, his good looks, or any other qualities which give a man influence over his fellows. It is the abuse of influence with which alone the law can deal."

But Parliament does forbid as undue influence the threatening or inflicting of any injury, temporal or spiritual, "or any fraudulent contrivance to restrain the liberty of a voter, so as either to compel or frighten him into voting or abstaining from voting, otherwise than he freely wills." (*See* Appendix, page 179.)

The law is severe where it is proved that the freedom of even one voter has been interfered with unduly. For instance, where an employer of labour, who was a member of the candidate's committee, and canvassed for him, threatened to discharge any man who voted "wrong," the election was avoided. Clearly such conduct amounted to "undue" influence, and forfeiture of the seat ensued.

Again, it is most improper to threaten withdrawal of custom from a tradesman in consequence of his political opinions. Hot-headed partisans in some rural districts are rather apt to breathe threats of this kind, but by so

doing they not only put themselves in peril of the law, but they jeopardise the election of the candidate, whose cause they fancy they are assisting. Anything of the kind should be strenuously discouraged. At his workers' meeting, in dealing with prohibited acts, the agent should explain clearly that the exercise of the franchise must be entirely free and unfettered.

General intimidation, or such a state of riot as prevents men of ordinary courage from freely recording their votes, would avoid an election, even although neither the candidate nor his agents had any hand in it. Perhaps it is not surprising that we can find some examples in the annals of the Emerald Isle, as it is well known that for any real "fun" on election day, an Englishman must now cross the Irish Channel.

There is another form of the offence which has to be guarded against in some constituencies, and that is the threat of spiritual consequences. A minister of religion has, and rightly has, considerable influence with his flock, nor does the law seek to prevent its legitimate exercise. But there is a point beyond which religious guidance must not go in the free exercise of the franchise. The law cannot be more clearly summed up than in the following extract from a judgment where clerical influence was the point in question :—

> "In the proper exercise of that influence on electors the priest may counsel, advise, recommend, entreat, and point out the true line of moral duty, and explain why one candidate should be preferred to another, and may, if he think fit, throw the whole weight of his character into the scale, but he may not appeal to the fears, or terrors, or superstitions of

those he addresses. He must not hold out hopes of reward here or hereafter, and he must not use threats of temporal injury, or of disadvantage, or of punishment hereafter. He must not, for instance, threaten to excommunicate or to withhold the sacraments, or to expose the party to any other religious disability, or denounce the voting for any particular candidate as a sin, or as an offence involving punishment here or hereafter. If he does so with a view to influence a voter, or to affect an election, the law considers him guilty of undue influence."

Personation

is the offence of applying for a ballot paper in the name of some other person, whether living or dead, or entirely fictitious. (*See* Appendix, page 170.) It is also personation to attempt to vote twice in the same election. Where a borough is divided, it is unlawful to vote in more than one division—*e.g.*, in Birmingham, which returns seven members, an elector is entitled to vote in one division only, although he may have a qualification in respect of more than one. (The Redistribution of Seats Act, 1885; Secs. 8 (3) and 13 (4).)

Personation is sometimes practised in large cities, where the great number of electors makes it very difficult for the polling agents to exercise any real check on the personality of voters. Where an election is fought on an old register, which means that there are many removals and deaths, it is almost impossible to prevent imposters from applying for a ballot-paper in the name of a voter deceased or removed. In villages and small towns, of course, there is less likelihood of such attempts at fraud.

The law regards this offence with special severity. It is a felony punishable on conviction on indictment (*i.e.*, before a jury), by two years' imprisonment with hard labour, no option of infliction of a fine, instead of imprisonment being left to the Court. Assisting or procuring personation is an offence of equal gravity.

OTHER CORRUPT PRACTICES.

Finally, it is a corrupt practice for the candidate, or his agent, knowingly to make a false declaration of election expenses ; or for a candidate personally to engage or knowingly to assent to the engagement of any person as a canvasser or election agent, who to his knowledge has been held guilty of a corrupt practice within seven years.

ILLEGAL PRACTICES.

We come now to "things which the Legislature is determined to prevent, whether done honestly or dishonestly" ; in other words, to practices declared to be illegal, and the absolute avoidance of which an election agent must press home upon every one engaged in assisting a candidate. As we have said, the average man or woman has a fairly clear conception with regard to corrupt inducements to voters, but an illegal practice stands on a different footing. Certain restrictions, almost in the nature of arbitrary rules, are laid down by law, and with the best intentions in the world a canvasser or worker, whose political enthusiasm is untempered by technical knowledge, may land his party in all the joys of an expensive law suit.

In another place the means are discussed which a

candidate and his responsible election agent should adopt to warn active supporters of the dangers they may run.

Illegal Practices which avoid an election if committed by **any person held to be an agent** of the candidate :—

1. **Payment** for the conveyance of electors to or from the poll, *i.e.*, cab or railway fares, &c. (Section 7.)

2. Payment to an elector for the use of premises or land to exhibit election notices, or for exhibiting any such notice. (Section 7.)

But an elector who carries on business as a bill poster or advertising agent may receive payment, which, of course, has to be included in the return of election expenses. Advertising forms a heavy item in election expenditure, and the responsible election agent **should** make all contracts, and **must** make all payments (other than petty items) for printing and advertising.

3. Payment for any committee room above the number allowed by law. (Section 7.)

This is an insidious form of demand which an election agent occasionally has to resist after a contest. The law strictly limits the number of rooms which may be hired, but does not prohibit the use of extra rooms freely lent. Some generous lenders have an uncomfortable way of subsequently demanding compensation, which, besides being unlawful, is usually absurdly excessive, and the candidate or agent who fails to keep a stiff lip will assuredly find himself in difficulties. Claims of this kind are treasured up for years sometimes and form a portion of the mysterious "debts of the party," which politicians of all parties are unpleasantly familiar with.

4. Making any payment or advance for expenditure for the conduct of the election, except through

or by the authorised election agent (or, in counties, the district sub-agent).

Making any payment to any person other than the candidate or the election agent of money provided by any person other than the candidate for expenses connected with the election, whether as gift or loan or otherwise. (Section 28.)

Parliament insists upon the appointment of one person, the election agent, who is to be responsible for all expenditure on behalf of the candidate, so as to prevent half-a-dozen different people incurring liabilities or making payments, which would make the detection of expenditure outside the legal limits impossible. Payment by unauthorised persons is accordingly declared to be an illegal practice, and as such would avoid the election. An exception permitted is where a person is authorised in writing by the election agent to pay for petty expenses, such as stationery, postages or telegrams to a sum specified in the written authority. Having regard to the limits of total expenditure allowed, an agent is well advised in not issuing such authorities too freely. An election agent is bound to file a bill stating particulars with a receipt for all election expenses amounting to 40s. or more.

The law also allows a limited latitude as regards small sums disbursed for expenses legally incurred by persons out of their own money, but the amount must not be repaid to them. This proviso enables a cab to be taken, or a telegram to be sent, by a worker at his own cost about the business of the election, when there is no arrangement for repayment.

On the same principle of facilitating examination of election finances where the expenses of a candidate are

found for him by some other person, or by a political association, the money is to be paid over, either to the candidate or to the election agent direct. It must not reach them through third parties.

5. Acting, or inciting any other person to act, in a disorderly manner, **for the purpose of preventing the transaction of the business for which the meeting was called together,** at a political meeting held in any Parliamentary constituency between the date of the issue of the writ and the date at which the return to the writ is made. (Public Meeting Act, 1908.)

The provisions of this Act have been discussed in the chapter on Political Meetings—(see page 21). Having regard to the responsibility it throws upon the candidate if its provisions are infringed by any recognised worker, the election agent should impress upon workers the absolute necessity of observance of the law.

The above prohibitions are the most important to bring before the minds of workers, because a breach of one by any authorised helper may jeopardise the election. We proceed now to consider shortly a number of other payments, &c., which are declared to be illegal, rendering **any** offender against the law liable to heavy penalties. If committed by the **candidate or his election agent personally** (and in counties, by a **sub-agent**) they avoid an election. The chief are as follows :—

1. Knowingly providing money for any payment declared to be illegal, or for expenses incurred beyond the maximum permitted, or replacing any money so expended. (Section 13.)

2. Incurring expenses beyond the maximum allowed. (Section 8.)

3. Using for conveyance of voters to or from the poll, any public stage or hackney carriage, or any animal used for drawing the same, or any carriage or animal kept for letting out for hire. (Section 14.)

A voter may himself hire a cab at his own cost to go to the poll, or several electors may join in hiring a fly. What is forbidden is for a cab yard proprietor, &c., to lend his cabs or flies for free conveyance of electors to or from the poll, or for a person to hire a cab, &c., and then lend it. The election agent would naturally have a register of carriages to be used, and if anyone calls his attention to the fact that a proffered vehicle is one generally kept for hire, or if he himself has any reason to believe such to be the case he must rigorously exclude it from his list. Knowledge is essential, and it is not improbable that before now an election agent hard pushed for means of conveyance, has acted on the well-worn maxim that--

> "Where ignorance is bliss
> 'Tis folly to be wise;"

but if the matter is called in question, he will have to prove his ignorance. Careful scrutiny is the way of wisdom.

On the other hand, where it is ascertained that a prohibited conveyance is being used in contravention of the Act on behalf of an opponent, a written notice delivered to the candidate or his election agent may be desirable with a view to prevent any possibility of such saving ignorance as enables advantage to be taken of proffered vehicles.

4. Payment for bands of music, torches, flags, banners, cockades, ribbons, or other marks of distinction. (Section 16.)

Here we have a prohibition which has probably never been observed in its strict meaning by either side at a

single election. The words of the Section are : "No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made on account of bands of music, torches, flags, banners, cockades, ribbons, or other marks of distinction."

The gift or free provision of **bands, torches, flags or banners** is not forbidden. The offence consists in an illegal payment for such things. But someone must pay somehow for the materials for flags or banners, and taken in its literal construction, the Act of Parliament is so drawn as to hit the person who pays for such things for the purpose of promoting the election of a candidate. It is wise to put them in the list of forbidden luxuries.

Payment for cockades, ribbons, and marks of distinction for the like purpose is illegal, and if the candidate or his agent pays the election may be avoided. The "hat cards" case at Walsall shows how careful those responsible should be. The agent paid £2 18s. for some cards bearing the portrait of the candidate, with the injunctions "Play up Swifts" and "Vote for James." Conveniently shaped for the purpose, the cards were widely worn by voters in their hats, as, indeed, appears to have been intended. A card in itself would be harmless, but a **hat** card was held to be "a mark of distinction," and the election was declared void. Fifty-eight shillings incorrectly expended was found sufficient to upset it. Rosettes, ribbons and marks of distinction come very near to being what ecclesiastical lawyers would call in another connection "illegal ornaments." Payment for them by anyone is prohibited, and on the part of the candidate or his agent is an illegal practice which would avoid an election—as happened in

the hat cards case. But, above and beyond this, the **giving or providing** cockades, ribbons, or marks of distinction by the candidate, or any agent on his behalf, is a statutory offence under 17 & 18 Vict., c. 102, Section 7, and subjects the giver or provider to the mercy of anyone who chooses to proceed against him, to forfeit the sum of two pounds and the full legal costs.

Very few contests are fought without the appearance of a crop of rosettes, and one is irresistibly reminded of a process of crushing the butterfly on the wheel by perusing the solemn prohibition by Parliament on the subject. Still, there is no getting away from the fact that the prohibitions are there. The writer remembers an ingenious and enthusiastic lady who thought she was all right because she sold her rosettes at a penny apiece! But that was jumping out of the legal frying-pan into the fire, and raising her possible liability from forty shillings to £100. A penny for a rosette, if paid for the purpose of promoting or procuring the election of a candidate at any election, is clearly an illegal payment!

5. Employing for payment any person for any purpose not authorised by the Act, or in excess of the number so authorised. (Section 17.)

So, the payment of canvassers is illegal.

6. Publishing any bill or poster without the name and address of the printer appearing upon its face. (Section 18.)

7. The use (**even gratuitous**) as a committee room upon—

(a) premises licensed for sale of intoxicating liquor, whether the license be for consumption "on" or "off";

(b) premises where intoxicating liquor is sold to members of an association or club—other than a **permanent** political club;

(c) premises where food or drink **of any kind** is sold for consumption on the premises;

Unless in either (a), (b) or (c) a committee room is situate on part of premises which is ordinarily used for public meetings, and has a separate entrance, without direct communication with prohibited part;

(d) any public elementary school in receipt of a Parliamentary grant. (Section 20.)

Prior to modern legislation, committee rooms on any premises might be used, but in its determination to discourage treating, Parliament took an obvious course in prohibiting the use of places where food or drink is supplied in the way of trade. **The prohibition applies to all descriptions of refreshment rooms and it is absolute whether the room is hired or freely lent.** An exception, it will be noted, is made in respect of a "permanent political club," but unless there are some exceedingly strong reasons to the contrary, it is better to keep clear even of club premises when arranging committee rooms. Non-members of the club will naturally have business to transact, and there is considerable risk of friendly club members who meet them on the premises, inviting them in a perfectly innocent way to accept liquid hospitality, which may lead to subsequent accusations of treating. A party club possesses undeniable attractions on the score of comfort, accessibility, secrecy, and general convenience, but the risk alluded to should be most carefully weighed before its use for committee rooms is decided upon.

8. Voting when prohibited, or inducing any

person who is prohibited to vote. (Section 9, Sub-section 1. See also Representation of People Act, 1867, Section 11.)

A person employed **for payment during an election for any County or Borough, or within six months previous to an election** as agent or canvasser, or as election agent or sub-agent, polling (personation) agent, clerk, or messenger is forbidden to vote at such election, and if he does so he is guilty of a misdemeanour, whilst anyone who induces such a person to vote commits an illegal practice. In large constituencies the proceeding is not unknown; for instance, in the Stepney case it was proved to have occurred and while the election agent was exonerated from the charge of procuring the offence, it was commented that he had not been sufficiently active in preventing it. The common excuse by the erring voter is lack of knowledge of wrongdoing, but it would appear that the election agent is expected to instruct paid employees that they lose their right to the franchise for the constituency in which they work. This loss of the right to vote by workers paid for their services is a matter which should not be lost sight of in arranging for the paid staff. Where a contest is likely to be very close the loss of such votes may be most serious, assuming as is likely to be the case that the staff employed are persons who would vote for the candidate on whose behalf they are employed.

Other persons prohibited from voting are those found guilty of, or reported for, corrupt or illegal practices at a previous election, so long as the statutory period of incapacity to vote extends. The disability to vote does **not,** of course, extend to tradesmen from whom purchases are made, nor to bill-posters or others who do work as

contractors. Persons convicted of treason or felony, whose sentence is unexpired, or who have not received a pardon (*i.e.*, ticket of leave men), and anyone who commits corrupt or illegal practices at the election in progress, may not vote.

9. Publishing a false report of the withdrawal of a candidate. (Section 9, Sub-section 2.)

10. Publishing an untrue statement of fact about the personal character or conduct of a candidate. (Corrupt and Illegal Practices Act, 1895.)

The penalties for an illegal practice are incurred by any person who knowingly publishes a falsehood of either description, while if published or approved by the candidate or his election agent, the election is avoided. The prohibition of false statements in relation to the character or conduct of a candidate is contained in a special Act passed in 1895, and is aimed at preventing the wilful circulation of lying rumours, which, unfortunately, is not unknown at election times. The manner of operation generally is to set the rumour afloat just before polling day in the hope that it may work its evil consequences before effective contradiction is possible. The Act accordingly provides that on prima facie proof of falsity, the High Court may grant an interim injunction against any repetition. Procedure is rapid, and where the necessary affidavit in support of the application discloses a case within the Act, it is advisable to advertise and circulate widely the fact that the Court has intervened. As the Act is comparatively novel, it may be useful to give an instance of the kind of statement which has been held to pass beyond the line, and, consequently, to entitle the injured side to an injunction. During the

General Election of 1895, a leaflet was issued containing the following statement, which was complained of as being untrue:—"In connection with this election, it must be remembered that Mr. ——'s (the candidate's) firm, who own the —— Colliery, locked the men out of their pits for six weeks, until stocks were cleared out, and coal had reached the fabulous price of 22s. to 23s. a ton at the pit. Then the late member for —— found his 'conscience' would not allow him to starve 'the poor miner' any longer."

It will be observed that the first portion of the paragraph contains the statement of fact, which, on challenge, was not shown to be true. If proved to be correct, the concluding sentence might have passed as comment, or opinion. For instance, where a leaflet set out certain facts, and called a candidate a "traitor," an injunction was refused on the ground that the expression was a statement of opinion, and not one of fact. There must be a statement of fact, and it must be false. In another case, Mr. Baron POLLOCK gave an example of the sort of thing, not in itself very grave or serious, but which would come within the Act:—

> "Supposing any gentleman in a county constituency was to say of his adversary that he had shot a fox, and he said it for the purpose of working upon the minds of the constituency during an election, that would certainly come within the meaning of the Act. Again, if any person in a constituency, where one of the members was a temperance man were to say he had seen him drinking a glass of sherry—a perfectly innocent act—that would also bring him within the Act."

The remaining practices which must be avoided as illegal are :—

11. Corruptly inducing a candidate to withdraw, for payment or for a promise of payment. (Section 15.)

12. Paying any claim for an election expense which is barred, as not having been sent in within 14 days of the election. (Section 29.)

13. Paying an election expense more than 28 days after the election. (Section 29.)

14. Failing to transmit a return of election expenses within 35 days after the election. (Section 33.)

15. Failure by (a) the candidate, or (b) the election agent to transmit the declarations respecting election expenses within the time limited. (Section 33.)

PENALTIES AND PUNISHMENTS.

Under this title are set out in Appendix I. (pages 167—170) the sections of the Act of 1883, indicating the penalties for those who are guilty of offences against its provisions.

It is to be noted that corrupt practices and illegal practices when brought home to an offender, involve not only the punishments of fine or imprisonment, but certain electoral consequences. For instance, a candidate found personally guilty of corrupt practices is declared incapable for ever of being elected for the constituency where the offence was committed; whilst he, and also any other person convicted on indictment of a corrupt practice, in addition to any sentence of imprisonment or fine inflicted is disqualified for seven years for being a Member of the House of Commons, or for being registered as an elector, or voting at any election (Parliamentary

or Municipal) in the United Kingdom for seven years, or for holding any public office during the like period.

ILLEGAL PRACTICES.

A person found guilty of an illegal practice is liable to a fine not exceeding £100, and for five years' is disqualified for being registered as an elector, or voting at any election (Parliamentary or Municipal) for the county or borough in which the offence was committed.

ILLEGAL PAYMENT, EMPLOYMENT, AND HIRING.

Certain offences, while subjecting any person committing them to heavy pecuniary penalties, do not involve the further consequences of electoral disability attached to illegal practices, unless they are committed by the candidate or his election agent, or (in counties) by his sub-agent. Thus, payment by any person for the purpose of promoting or procuring the election of a candidate on account of bands of music, torches, flags, rosettes, ribbons, or other marks of distinction is an illegal payment, involving a fine not exceeding one hundred pounds; but if the offence is committed personally by the candidate or his election agent, it becomes an illegal practice, involving the further penalties incident thereto.

CANVASSERS AND WORKERS.

SYNOPSIS.

Canvassing abused, but used.—Canvass of working classes.—Their courtesy.—Middle-class snubs.—Canvassers ambassadors of candidate.—What is canvassing ?—Instructing canvassers.—Interviewing voters.—Canvass cards.—Should known opponents be visited ?—Canvassers' equipment.—Workshop canvassing.—Checking canvass.—Bad canvassing.—Removals.—Voters dead or sick.—Carriage promises.—Refreshments for canvassers.—Personal canvass by candidate.—Should be completed before contest.

Canvassing enjoys the distinction of being at once abused by all sides, and universally practised. Upon a time it was lawful to pay for the work, but any fee or reward now constitutes an illegal practice, although the legislature has not attempted as yet to abolish utterly what a number of worthy persons regard as a harmful, unnecessary form of political activity. It is open to doubt how far the condemnation is well founded. Of course, a great deal of canvassing verges upon the objectionable where the enthusiasm of a worker is untempered by judgment. There is something unpalatable also in the freedom with which working-class electors are badgered. "Someone come about the voting" is a too familiar cry in the ears of tired artisans, and it is small wonder that occasionally the response does not suggest a shower of celestial blessings upon the would-be interviewer. But in general, the reception is wonderfully courteous, and it is indisputable that many working men voters expect to be called upon and interviewed about the poll, regarding omission of this

attention as a personal slight. In more affluent circles, rebuffs are more common. A certain fair politician was not delighted by the experience of hearing from her place upon the doorstep, when the maid announced that "a young person has called to ask whether you have voted yet," the reply in tones of acid clearness, "Ask the young person what business that is of hers." These things are not encouraging.

INSTRUCTING CANVASSERS.

As a matter of fact, canvassing is one of the most delicate and difficult tasks connected with an election. An authorised canvasser is the candidate's ambassador; he or she is also his agent, and for a canvasser's acts heavy responsibility may be incurred. On every ground, then, care should be exercised in sending men or women forth upon such a mission. The notion that canvassing consists merely of an inquisitorial demand about an elector's intentions at the poll, is at the root of theoretical objections to the practice. Too often, it is true, canvassing does take that form, but a candidate or his agent should instil a better idea of their duties into workers. If possible an informal meeting should be convened at each Committee room for a short address by the agent or the sub-agent to canvassers and workers. Prohibited acts should be simply explained, and a few hints may well be added on the best way of getting to business. Canvassers should be urged to familiarise themselves with the main facts of political questions likely to be prominently in issue. An advocate ignorant of his cause does not exercise great powers of persuasion, and opponents delight in trapping an uninformed emissary of the enemy; whereas a canvasser who

knows, and uses his knowledge, can meet opposition, and very often will convert hesitating voters into declared supporters.

Canvassers should be urged to spare no pains in securing a personal interview with every voter visited. A reply through an intermediary is far from satisfactory. Another point of which some workers need reminding is the undesirability of talking about the promises they secure. Information often filters through to opponents in this way, which it would be more advantageous not to communicate. Again, a word should be said about not canvassing at inconvenient seasons. Many electors, particularly in industrial districts, go early to bed. To be rung up from hard-earned slumber between 10 and 11 at night does not make them yearn to help the side the canvasser would wish. It is necessary in some cases to impress upon canvassers that the canvass cards must not be left at the houses visited.

So much depends upon them that canvassers should be appointed with care and discrimination. A little formality in accepting services often stimulates offers of help, and where the importance of canvassers' duties is dwelt upon, the reluctance which is often exhibited has a tendency to disappear. What an Irishman calls a "black stranger" is not a good choice. As far as possible canvassers ought to be picked for streets or districts they know, and in which they are known. The ward or district committee should be in a position to recommend trustworthy canvassers, and the name and address of every authorised worker should be recorded. Blank forms of canvass cards are supplied at a small charge by the party organisations, with instructions and warnings

already printed, but electors' names, addresses, and number on the registers must be written in locally. Some politicians exhort a complete canvass of opponents as well as friends; but, where the information is absolutely trustworthy, it is waste of time and energy to call upon avowed opponents. The cards may as well be filed at once in the "Against" division, and canvassers' efforts be directed to the conversion of those of whose support there is at any rate some hope. On the other hand, to send canvassers to solicit support from active members of the Association is a mistake. It looks as if those in charge of arrangements did not know their own friends—and friends like to be recognised! The proper thing, of course, would be to ask members of the Association to give assistance to the cause by undertaking canvass work themselves. An admonition which many canvassers require is not to be too sanguine in their report. A civil answer does not necessarily imply a promise of support, but novices often so interpret it to the misleading of those who make up the returns. A happy mean between pessimism and optimism should be sought, and where uncertainty exists the voter should without hesitation be ticketed "doubtful." A second visit may settle his convictions.

EQUIPMENT OF CANVASSERS.

It is unwise to issue too large a number of cards at one time to a worker, because weariness easily leads to carelessness. In street canvassing it is a good plan to despatch two workers in company. Each can visit the houses on one side, and interest is increased by a comparison of fortunes and experiences. Fifty electors is quite as many as should be entrusted to the tender inquiries of the most

willing canvasser at once. His equipment, in addition to canvass cards, should include what are known as visiting cards "soliciting the favour of the vote and interest" for the candidate, whose portrait may with advantage appear on such cards. A small supply of party literature may also be useful, but canvassers should be asked not to throw leaflets carelessly about. Literature is intended for distribution with discrimination, and ought not to be treated like a kind of glorified waste paper.

The bulk of canvassing must be street work, done, that is, in and by streets from door to door. But in industrial constituencies a very useful form of canvassing may be accomplished in factories, or warehouses, or workshops. An intelligent artisan supporter in such a place may be a tower of strength, and every encouragement should be given to those who are willing to undertake such work. At its best, canvassing is an attempt to get into political touch with the electorate, and a few words from a fellow-workman are often the most effective method of achieving this object.

CHECKING CANVASS.

As each canvasser brings in his or her cards, a responsible person in the Committee Room should go through them with the worker. Where answers noted appear vague or unsatisfactory, a question or two should be put, and the card may be left with doubtfuls for the second canvass. A worker whose return is suspiciously favourable should be courteously cross-examined, since inaccuracy in this direction is mischievous in the highest degree. Only by such attention to detail can the returns be rendered tolerably accurate, and a canvass without

pretensions to accuracy had far better never have been made.

Canvassers do mischief when they glibly promise all kinds of legislative reforms if their candidate gets in. The big loaf and the little one are alike dangerous weapons, but in appeals to self-interest they, or some similar inducements, are constantly employed. When the candidate succeeds and the promises of the canvasser remain unfulfilled, discontent is engendered. But the worker who adopts the attitude of a too candid friend is not the best type of vote getter. A lady, who had consented to canvass a block of dwellings, determined to speak the truth, the whole truth, and nothing but the truth about the candidate she had set forth to assist, and it would appear that either he or his programme was not entirely without blemish in her eyes. The result she handed in must have been startling to those in the Committee Room. "Seven always were, and always will be against; of eight who intended to support, five will vote against, one will refrain, and two will vote for." "I have never been asked to canvass since," remarked the lady pensively, saddened by the ingratitude her efforts had encountered.

REMOVALS.

Where registration work has been regularly attended to, removals would be fairly well noted up in the register. In some working-class constituencies, removals are constant, and when an election is fought on an old register the work in this connection is very heavy in most districts. To ascertain the new addresses of voters removed, is one of the chief duties of a canvasser, who, at the same time, should take a note about the successor, and report accurate

information to the Committee Room, whence it may be forwarded to the Central, where all removals out of the constituency should be dealt with. Removals to another ward or district in the same constituency should be forwarded to the person in charge of such district, the canvass card being endorsed "removal." Another point canvassers should bear in mind is to report the names of voters deceased, or those who are so ill as not to be fit to vote, so that particulars may be noted for the use of personation agents to prevent fraud on polling day. As to conveyances, it is unwise to be too free in offering to send for voters who could easily walk, but where a promise to do so is made, it must be noted on the card for record at the Committee Room. Amusing incidents abound which go to prove that a free drive is very tempting to some electors. "Vote! no my husband can't vote," said one good lady. "He's ill in bed. Carriage? No, not well enough to go in a carriage. Motor? Ah, well now, if you send a motor car I might manage to take him up"—and the sick man's vote was duly polled.

Canvassing for registration purposes is distinct from work during an election. The object of the former is to secure information about the general politics of electors. The object of election canvassing is to promote the election of a particular candidate. Registration canvassers who may be, and often are paid, must not be allowed to protract their inquiries into the midst of a contest.

REFRESHMENTS FOR CANVASSERS.

A question frequently arises about offering refreshments to canvassers. Now, it is abundantly clear that there must be no sort of engagement such as, "if you canvass

you will be fed," as that would amount to employment for payment within the Act. Any regular entertainment of canvassers is dangerous, and should be avoided, but there is nothing to prevent such interchange of hospitality between fellow-workers as generally obtains between friends, and even the candidate is not precluded from inviting personal friends to lunch or tea, though he must avoid any suspicion of keeping open house, where all who ask can have.

PERSONAL CANVASS BY CANDIDATE.

There remains to be discussed the question of a personal canvass by the candidate, the object of which is not to solicit votes, but to make himself personally known to as many people as possible throughout the constituency. In the heat of contest is not the time to undertake this work. It should be accomplished before the day of battle. A candidate has not leisure during the progress of an election to do the work properly. If a personal canvass, which is invaluable as a means of introduction to individual electors, has been impossible or neglected, the best plan is only to attempt to interview a selected list of representative electors, or those who have expressed a desire to see the candidate when canvassed by an ordinary worker. Needless to say, a candidate should never canvass unaccompanied, lest his words or actions should be wrongly twisted by an unscrupulous opponent. Such things have happened ere now.

POLLING DAY.

Election Agent's first day of rest.

Workers' Meetings on Eve of Poll.—Last Words.—Canvass Cards in.—Final marking up of Registers.

Personation Agents and their duties.

Counting Agents and their duties.—Collectors of Polling Cards.—Marking of Wall Sheet.—Polling day.—Early workers.

Canvassers' duties on Polling day.

Conveyances.—List.—Organising supply in boroughs.—In counties.—Avoiding waste of effort.

The Central Committee Room.—Agent on the spot.—Candidate on tour.—Last two hours.—Counting up votes.

THE POLL.

"Morning! Suppose you're very busy to-day," is the greeting which falls a hundred times upon the ears of an agent when election day dawns. The accusation is not one he need deny, although like all accusations against good men it should be groundless. Polling day, in fact, ought to be an election agent's first day of rest, for the simple reason that his work should have been completed by then.

WORKERS' MEETING ON EVE OF POLL.

Public meetings are over and done with two days since. The only meeting on the eve of the poll should be a private gathering of workers. In a borough, this should be a joint meeting at the Central Committee Rooms; in a scattered county division, necessarily separate meetings in each sub-agent's district. Last words and warnings

must then be given. Workers must be admonished how to concentrate their efforts, and, as far as may be, arrangements must be made to ensure a stream of regular assistance throughout the day. Many workers, probably most, can be free only for the evening. That is when they are chiefly required, but some must be secured for morning and afternoon duties, so as to visit tradesmen and others whose business permits them to vote during the day. Secondly, it should be impressed finally upon workers that they must abstain even from the appearance of evil, as construed in the Corrupt Practices Acts: no standing of drinks to voters, and no hope of reward for themselves, beyond that which virtue is entitled to expect.

Where there is reason to anticipate disregard of the law by opponents, canvassers may be invited to keep a spare eye on the other side's workers. If any canvass cards are unreturned, they must be got in before the workers disperse; and the committee staff must write fresh cards for any that are not accounted for, while all cards must be arranged in street order, for issue to workers on polling day. The various Registers must be finally marked up—one, at least, for the Personation Agent, and another for the wall sheet.

PERSONATION AGENTS AND COUNTING AGENTS.

When the general body of workers has retired, instructions must be given briefly to the Personation Agents and the Counting Agents, all of whom must make, before beginning their duties, **the declaration of secrecy** before a Justice of the Peace. This should not be left until the last moment. Their appointments must have been **notified**

one clear day (or what is colloquially called two days) before the poll, to the Returning Officer. One paid personation agent is allowed for each polling station, and there is no limit to the number of volunteers who may be **appointed**, but a Presiding Officer would not allow unnecessary multiplication of persons in the polling station at one time. The best Personation Agent is a judicious local man with a good knowledge of the electorate. A form of instructions should be handed to each Agent with his appointment, and it should be impressed upon him that he is the representative of the candidate at his polling station, and, as such, entitled to see that the Ballot Act is complied with, and that no voter is improperly interfered with. An impulsive man, or one whose strength of partisan feeling is likely to lead him to exceed his duties should not be chosen, but while friendly courtesy towards officials and opponents alike is requisite, a Personation Agent is very little use for his duties if he lacks sufficient determination to insist upon the statutory questions being put to applicants for ballot papers, about whose right to vote he has adequate grounds of suspicion.

COUNTING AGENTS' DUTIES.

Counting Agents may be appointed by the **candidate** to attend on his behalf at the counting of votes, in order to see that the provisions of the Ballot Act are complied with. The number is fixed by the Returning Officer, and as presence at the counting is looked upon as a privilege, some of the prominent supporters usually expect nomination, whilst a selection from the earnest workers must also be made. Ballot papers are to be rejected for—

1. Want of official mark;

2. Voting for more candidates than entitled to;
3. Writing or mark by which voter could be identified;
4. Unmarked, or void for uncertainty.

Sometimes Counting Agents are invited to check the counting, but this is not always done, nor can they claim any right to count the votes. The ballot papers are usually put up into bundles of fifty, and these should be examined to see that no mistakes occur in sorting.

COLLECTORS OF POLLING CARDS.

Another matter which must not be lost sight of, is securing trustworthy workers to attend near polling stations in order to collect the poll cards from electors. For this purpose, also, persons should be chosen who are well acquainted with people in the district, as many voters forget to take their cards with them, and many more not unnaturally object to give them up to representatives of either party. But as those in charge of the committee room are required to mark off on the wall sheet, voters who have polled, so as to know who to send in search of, it is necessary for the "tellers" to get the best information possible. Messengers should be despatched every half hour with the names and, so far as possible, the register numbers of those electors who have visited the polling booth, and these must be at once marked off on the wall sheet, whilst as the day proceeds canvass cards should not be issued to workers until reference has shown that they are still "unpolled," according to the wall sheet record.

CANVASSERS' DUTIES ON POLLING DAY.

On polling day, the staff of each committee room should be at work soon after 7.30 a.m. The paid staff may not vote; remuneration involves disfranchisement, but voluntary workers should poll as early as possible, and then set themselves to make others do likewise. Polling day puts to the proof the value of the workers' canvass. The importance has been pointed out of securing a definite promise to poll from favourable electors. On polling day each canvasser should give a look to his "promises." If he can get them to vote early, he will have achieved something for his side, and he can then devote attention to those whom he believes are favourable, but who have made no definite promise. Of course, it is not always possible for the original canvasser to look after his district on polling day, but such is obviously the desirable course.

The person in charge of a committee room on polling day needs a steady head on his shoulders to use the services of workers to the best advantage. Unless they are absolutely weary, workers ought not to hang about the committee room, although they would naturally resent any attempt at dictatorial orders as to their movements. Again, too often three or four workers are sent in search of one voter. That is merely irritating to them, and to the voter. Prompt marking off on the wall sheet avoids many difficulties and many useless journeys. Whenever on inquiry it is found by a worker that the voter has polled, he should immediately return the canvass card to the committee room with the information, so that the wall sheet may be marked. The same must be done by canvassers with the cards of all those who go to the poll on their invitation.

CONVEYANCES.

One of the first things to be done in the morning at each committee room is to arrange the conveyance list. Loans of carriages and motors will have been invited by letter, which for preference should bear the signature of the candidate, several days previously. In boroughs it is usually best for the election agent to organise, either personally or by a capable deputy, the supply of conveyances, and to allocate them in such proportions as seems necessary to the various committee rooms. In counties, each sub-agent must look after his own district, but in all cases **one person must be responsible for the arrangements, or confusion will certainly arise.** Both in counties and boroughs there is sometimes a pitiable wastage of energy and indeed, misuse of material, in this department. For hours, carriages wait in a string before committee rooms, while in the dinner hour, and after six, when they are urgently needed, they are only conspicuous because they are not there. From the canvass cards there should have been noted up at least the night before, particulars as to time, &c., of all voters asking to be fetched. If this has been done, there is some chance of seeing what carriage work has to be done throughout the day. Drivers and their horses can then be released to find food and rest; precautions being taken for the strongest supply of vehicles between 12 and 2, and from 5 o'clock until the close of poll. Workers should be discouraged from indulging unnecessarily in long motor trips or extensive carriage drives, since the vehicles are presumably lent to bring voters to the poll, not to take workers away from it, and as a matter of principle, no less than of policy, the greatest possible care should be taken

not to abuse the generosity of those who lend carriages to the candidate. The loan is one many people are anything but ready to make.

So much for the routine of committee rooms. The greatest difficulties likely to be experienced, arise from the over-friendliness of friends. Standing about a committee room is a form of assistance too many people are ready to give. If possible, the wall sheet should be placed in an inner chamber, where the marking off can be done in some degree of peace and quiet, while the person in charge may occasionally reduce surplus population by suggesting some work for idle hands—and feet—to do.

CENTRAL COMMITTEE ROOM.

At the Central, matters should be running on wheels. The election agent in a borough contest may find it useful to make an early round of the wards to see that everything is in order, but an experienced agent will generally spend the greater part of his day at the Central, to be available in those cases of emergency which are pretty sure to arise. The supply of workers, or of carriages, may be found inadequate in some districts, and the agent must be ready to respond to appeals for help. He is in the position of a consultant and superintendent, and should be ready to advise or assist whenever he is called upon. The candidate, on the other hand, ought to be constantly on the move. In a county, he will make the round, probably on a motor car, visiting each committee room in accordance with a time-table pre-arranged, so that his friends in the district may know when to expect him. In all constituencies he should be as much in

evidence as possible, so that his personality may cheer and encourage the workers on his side. His wife, if he has one, should accompany him. As a family man, John Bull appreciates domestic felicity, and an affectionate wife should on no account be left at home by a candidate on tour in his constituency.

Slowly, to those eager for the result, polling day wears on. The slackness of afternoon is succeeded by the rush and scurry of the last two hours, when oftentimes more votes are polled than in all the preceding period. Then those in charge of committee rooms must keep a cool head amidst surrounding excitement, and see that unpolled friends are visited. Workers towards the end must be despatched with not more than a card or two, so that effort may be concentrated on getting laggards to the poll. Only when 8 o'clock strikes must rest be expected, and even then many a weary worker will make his way to await the counting of those votes whose aggregate will show, let us hope, that he has borne a part in labours which have led to victory.

APPENDIX I.

CORRUPT AND ILLEGAL PRACTICES PREVENTION ACTS.

Sections relating to Conduct or Management of Elections.

Alphabetically Arranged.

[NOTE.—Unless otherwise stated, the Section Numbers refer to the Act of 1883.]

AGENCY, general, not defined by Act.

AGENT—*See* Election Agent.

ASSOCIATION—*See* Person.

BANDS OF MUSIC—*See* Marks of Distinction.

BANNERS—*See* Marks of Distinction.

BILLS AND PLACARDS.

(1) Payment for Exhibiting.

7 (1.) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made—

(*b*) to an elector on account of the use of any house, land, building, or premises for the exhibition of any address, bill, or notice, or on account of the exhibition of any address, bill, or notice.

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any payment or contract for payment is knowingly made in contravention of this section either before, during, or after an election, the person making such payment or contract shall be guilty of an illegal practice, and any person receiving such payment or being a party to any such contract, knowing the same to be in contravention of this Act, shall also be guilty of an illegal practice.

BILLS AND PLACARDS.

(3.) Provided that where it is the ordinary business of an elector as an advertising agent to exhibit for payment bills and advertisements, a payment to or contract with such elector, if made in the ordinary course of business, shall not be deemed to be an illegal practice within the meaning of this section.

(2) Name and Address of Printer and Publisher on.

18. Every bill, placard, or poster having reference to an election shall bear upon the face thereof the name and address of the printer and publisher thereof; and any person printing, publishing, or posting, or causing to be printed, published, or posted, any such bill, placard, or poster as aforesaid, which fails to bear upon the face thereof the name and address of the printer and publisher, shall, if he is the candidate, or the election agent of the candidate, be guilty of an illegal practice, and if he is not the candidate, or the election agent of a candidate, shall be liable on summary conviction to a fine not exceeding one hundred pounds.

BRIBERY, Defined.

Enactments defining the Offence of Bribery.

The Corrupt Practices Prevention Act, 1854 (17 & 18 Vict. c. 102), ss. 2, 3.

s. 2. The following persons shall be deemed guilty of bribery, and shall be punishable accordingly :—

(1.) Every person who shall, directly or indirectly, by himself, or by any other person on his behalf, give, lend, or agree to give or lend, or shall offer, promise, or promise to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce any voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid on account of such voter having voted or refrained from voting at any election :

(2.) Every person who shall, directly or indirectly, by himself, or by any other person on his behalf, give or procure, or agree to give or procure, or offer, promise, or promise to procure or to endeavour to procure, any office, place, or employment to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce such voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid on account of any voter having voted or refrained from voting at any election :

(3.) Every person who shall, directly or indirectly, by himself, or by any other person on his behalf, make any such gift, loan, offer, promise, procurement, or agreement as aforesaid

BRIBERY.

to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in Parliament, or the vote of any voter at any election:

(4.) Every person who shall, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procure or engage, promise, or endeavour to procure the return of any person to serve in Parliament, or the vote of any voter at any election:

(5.) Every person who shall advance or pay, or cause to be paid, any money to or to the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election Provided always, that the aforesaid enactment shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses *bonâ fide* incurred at or concerning any election.

s. 3. The following persons shall also be deemed guilty of bribery, and shall be punishable accordingly:—

(1.) Every voter who shall, before or during any election, directly or indirectly, by himself or by any other person on his behalf, receive, agree, or contract for any money, gift, loan, or valuable consideration, office, place, or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election

(2.) Every person who shall, after any election, directly or indirectly, by himself or by any other person on his behalf, receive any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at any election.

Corrupt Payment of Rates—Bribery.

The Representation of the People Act, 1867 (30 & 31 Vict. c. 102), s. 49.

The Representation of the People (Scotland) Act, 1868 (31 & 32 Vict. c. 48), s. 49.

Any person, either directly or indirectly, corruptly paying any rate on behalf of any ratepayer for the purpose of enabling him to be registered as a voter, thereby to influence his vote at any future election, and any candidate or other person, either directly or indirectly, paying any rate on behalf of any voter for the purpose of inducing him to vote or refrain from voting, shall be guilty of bribery, and be punishable accordingly; and any person on whose behalf and with whose privity any such payment as in this section is mentioned is made, shall also be guilty of bribery, and punishable accordingly.

BRIBERY.

Corrupt Payment of Registration Fee—Bribery.

The Universities Elections Amendment (Scotland) Act, 1881 (44 & 45 Vict. c. 40), s. 2.

17. Any person, either directly or indirectly, corruptly paying any fee for the purpose of enabling any person to be registered as a member of the general council, and thereby to influence his vote at any future election, and any candidate or other person, either directly or indirectly, paying such fee on behalf of any person for the purpose of inducing him to vote or to refrain from voting, shall be guilty of bribery, and shall be punishable accordingly; and any person on whose behalf and with whose privity any such payment as in this section mentioned is made, shall also be guilty of bribery, and punishable accordingly.—(3rd Schedule, Part 3.)

CANDIDATE.

(1) Definition of.

63. (1.) In the Corrupt Practices Prevention Acts, as amended by this Act, the expression "candidate at an election" and the expression "candidate" respectively mean, unless the context otherwise requires, any person elected to serve in Parliament at such election, and any person who is nominated as a candidate at such election, or is declared by himself or by others to be a candidate, on or after the day of the issue of the writ for such election, or after the dissolution or vacancy in consequence of which such writ has been issued;

(2) Person nominated without consent.

63. (2.) Provided that where a person has been nominated as a candidate or declared to be a candidate by others, then—

(*a.*) If he was so nominated or declared without his consent, nothing in this Act shall be construed to impose any liability on such person, unless he has afterwards given his assent to such nomination or declaration or has been elected; and

(*b.*) If he was so nominated or declared, either without his consent or in his absence and he takes no part in the election, he may, if he thinks fit, make the declaration respecting election expenses contained in the second part of the Second Schedule to this Act, and the election agent shall, so far as circumstances admit, comply with the provisions of this Act with respect to expenses incurred on account of or in respect of the conduct or management of the election in like manner as if the candidate had been nominated or declared with his consent.

CANDIDATE.

(3) Joint Candidates.

(3.) Where there are two or more joint candidates at an election the maximum amount of expenses mentioned in Parts III. and IV. of this schedule shall, for each of such joint candidates, be reduced by one-fourth, or if there are more than two joint candidates by one-third.

(4.) Where the same election agent is appointed by or on behalf of two or more candidates at an election, or where two or more candidates, by themselves or any agent or agents, hire or use the same committee rooms for such election, or employ or use the services of the same sub-agents, clerks, messengers, or polling agents at such election, or publish a joint address or joint circular or notice at such election, those candidates shall be deemed for the purposes of this enactment to be joint candidates at such election.

Provided that—

(*a.*) The employment and use of the same committee room, sub-agent, clerk, messenger, or polling agent, if accidental or casual, or of a trivial and unimportant character, shall not be deemed of itself to constitute persons joint candidates.

(*b.*) Nothing in this enactment shall prevent candidates from ceasing to be joint candidates.

(*c.*) Where any excess of expenses above the maximum allowed for one of two or more joint candidates has arisen owing to his having ceased to be a joint candidate, or to his having become a joint candidate after having begun to conduct his election as a separate candidate, and such ceasing or beginning was in good faith, and such excess is not more than under the circumstances is reasonable, and the total expenses of such candidate do not exceed the maximum amount allowed for a separate candidate, such excess shall be deemed to have arisen from a reasonable cause within the meaning of the enactments respecting the allowance by the High Court or election court of an exception from the provisions of this Act which would otherwise make an act an illegal practice, and the candidate and his election agent may be relieved accordingly from the consequences of having incurred such excess of expenses.—(1st Schedule, Part 5.)

(4) Disputed Claims against—*See* Election Expenses.

(5) False Statements concerning.

(Corrupt Practices Act, 1895.)

1. Any person who, or the directors of any body or association corporate which, before or during any parliamentary election, shall, for the purpose of affecting the return of any candidate at such election, make or publish any false statement of fact in relation to the personal character or conduct of such candidate shall be guilty of an illegal practice within the meaning of the provisions of the

Corrupt and Illegal Practices Prevention Act, 1883, and shall be subject to all the penalties for and consequences of committing an illegal practice in the said Act mentioned, and the said Act shall be taken to be amended as if the illegal practice defined by this Act had been contained therein.

2. No person shall be deemed to be guilty of such illegal practice if he can show that he had reasonable grounds for believing, and did believe, the statement made by him to be true.

Any person charged with an offence under this Act, and the husband or wife of such person, as the case may be, shall be competent to give evidence in answer to such charge.

3. Any person who shall make or publish any false statement of fact as aforesaid may be restrained by interim or perpetual injunction by the High Court of Justice from any repetition of such false statement or any false statement of a similar character in relation to such candidate, and for the purpose of granting an interim injunction primâ facie proof of the falsity of the statement shall be sufficient.

4. A candidate shall not be liable, nor shall be subject to any incapacity, nor shall his election be avoided, for any illegal practice under this Act committed by his agent other than his election agent, unless it can be shown that the candidate or his election agent has authorised or consented to the committing of such illegal practice by such other agent, or has paid for the circulation of the false statement constituting the illegal practice, or unless upon the hearing of an election petition the election court shall find and report that the election of such candidate was procured or materially assisted in consequence of the making or publishing of such false statements.

5. This Act may be cited as the Corrupt and Illegal Practices Prevention Act, 1895, and shall be construed as one with the Corrupt and Illegal Practices Prevention Act, 1883, and that Act and this Act may be cited together as the Corrupt and Illegal Practices Prevention Acts, 1883 and 1895.

(6) Personal Expenses defined.

64. The expression "personal expenses" as used with respect to the expenditure of any candidate in relation to any election includes the reasonable travelling expenses of such candidate, and the reasonable expenses of his living at hotels or elsewhere for the purposes of and in relation to such election.

(7) Personal Expenses, Payment of.

31. (1.) The candidate at an election may pay any personal expenses incurred by him on account of or in connexion with or incidental to such election to an amount not exceeding one hundred pounds, but any further personal expenses so incurred by him shall be paid by his election agent.

CANDIDATE.

(2.) The candidate shall send to the election agent within the time limited by this Act for sending in claims a written statement of the amount of personal expenses paid as aforesaid by such candidate.

(8) Corruptly procuring withdrawal.

15. Any person who corruptly induces or procures any other person to withdraw from being a candidate at an election, in consideration of any payment or promise of payment, shall be guilty of illegal payment, and any person withdrawing, in pursuance of such inducement or procurement, shall also be guilty of illegal payment.

(9) False statement of withdrawal.

9. (2.) Any person who before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate shall be guilty of an illegal practice.

(3.) Provided that a candidate shall not be liable, nor shall his election be avoided, for any illegal practice under this section committed by his agent other than his election agent.

CANVASSERS : (1) Guilty of corrupt practices not to be employed.

(Parliamentary Elections Act, 1868, s. 44.)

If, on the trial of any election petition under this Act, any candidate is proved to have personally engaged at the election to which such petition relates, as a canvasser or agent for the management of the election, any person knowing that such person has within seven years previous to such engagement been found guilty of any corrupt practice by any competent legal tribunal, or been reported guilty of any corrupt practice by a Committee of the House of Commons, or by the report of the Judge upon an election petition under this Act, or by the report of Commissioners appointed in pursuance of the Act of the Session of the fifteenth and sixteenth years of the reign of Her present Majesty, chapter fifty-seven, the election of such candidate shall be void.

(2) No reference in Act of 1883. Payment of, forbidden.—*See* Illegal Employment.

CLAIMS, Disputed.—*See* Election Expenses.

CLERKS and MESSENGERS.—*See* Employment for Payment.

COCKADES.—*See* Marks of Distinction.

COMMITTEE ROOMS.

(1) Defined.

64. The expression "committee room" shall not include any house or room occupied by a candidate at an election as a dwelling, by reason only of the candidate there transacting business with his

agents in relation to such election; nor shall any room or building be deemed to be a committee room for the purposes of this Act by reason only of the candidate or any agent of the candidate addressing therein electors, committeemen, or others:

(2) Premises Prohibited.

20. (*a.*) Any premises on which the sale by wholesale or retail of any intoxicating liquor is authorised by a licence (whether the licence be for consumption on or off the premises), or

(*b.*) Any premises where any intoxicating liquor is sold, or is supplied to members of a club, society, or association other than a permanent political club, or

(*c.*) Any premises whereon refreshment of any kind, whether food or drink, is ordinarily sold for consumption on the premises, or

(*d.*) The premises of any public elementary school in receipt of an annual parliamentary grant, or any part of any such premises, shall not be used as a committee room for the purpose of promoting or procuring the election of a candidate at an election, and if any person hires or uses any such premises or any part thereof for a committee room he shall be guilty of illegal hiring, and the person letting such premises or part, if he knew it was intended to use the same as a committee room, shall also be guilty of illegal hiring:

Provided that nothing in this section shall apply to any part of such premises which is ordinarily let for the purpose of chambers or offices or the holding of public meetings or of arbitrations, if such part has a separate entrance and no direct communication with any part of the premises on which any intoxicating liquor or refreshment is sold or supplied as aforesaid.

(3) Scale for hire of Rooms.

(a) Boroughs.

In a borough the expenses of one committee room and if the number of electors in the borough exceeds five hundred then of a number of committee rooms not exceeding the number of one committee room for every complete five hundred electors in the borough, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then of one committee room for such number, although not amounting to a complete five hundred.

(b) Counties.

In a county the expenses of a central committee room, and in addition of a number of committee rooms not exceeding in number one committee room for each polling district in the county, and where the number of electors in a polling district exceeds five hundred one additional committee room may be hired for every complete five hundred electors in such polling district over and above the first five hundred. —(1st Schedule, Part 2.)

COMMITTEE ROOMS.

(4) Payment for Excessive Number.

7. (1.) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made—

On account of any committee room in excess of the number allowed by the First Schedule to this Act.

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any payment or contract for payment is knowingly made in contravention of this section either before, during, or after an election, the person making such payment or contract shall be guilty of an illegal practice, and any person receiving such payment or being a party to any such contract, knowing the same to be in contravention of this Act, shall also be guilty of an illegal practice.

CONTRACTS: To be made by Election Agent.—*See* Election Agent (4).

CONVEYANCE OF VOTERS.

(1) Payment Prohibited.

7. (1.) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made—

(*a.*) on account of the conveyance of electors to or from the poll, whether for the hiring of horses or carriages, or for railway fares, or otherwise;

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any payment or contract for payment is knowingly made in contravention of this section either before, during, or after an election, the person making such payment or contract shall be guilty of an illegal practice, and any person receiving such payment or being a party to any such contract, knowing the same to be in contravention of this Act, shall also be guilty of an illegal practice.

(2) No Duty Payable or License Required.

14. (4.) No person shall be liable to pay any duty or to take out a license for any carriage by reason only of such carriage being used without payment or promise of payment for the conveyance of electors to or from the poll at an election.

(3) Conveyance by Sea in Certain Cases.

48. Where the nature of a county is such that any electors residing therein are unable at an election for such county to reach their polling place without crossing the sea, or a branch or arm thereof, this Act shall not prevent the provision of means for conveying such electors by sea to their polling place, and the amount of payment for such means of conveyance may be in addition to the maximum amount of expenses allowed by this Act.

CONVEYANCES PROHIBITED.

14. (1.) A person shall not let, lend, or employ for the purpose of the conveyance of electors to or from the poll, any public stage or hackney carriage, or any horse or other animal kept or used for drawing the same, or any carriage, horse, or other animal which he keeps or uses for the purpose of letting out for hire, and if he lets, lends, or employs such carriage, horse, or other animal, knowing that it is intended to be used for the purpose of the conveyance of electors to or from the poll, he shall be guilty of an illegal hiring.

(2.) A person shall not hire, borrow, or use for the purpose of the conveyance of electors to or from the poll any carriage, horse, or other animal which he knows the owner thereof is prohibited by this section to let, lend, or employ for that purpose, and if he does so he shall be guilty of an illegal hiring.

(3.) Nothing in this Act shall prevent a carriage, horse, or other animal being let to or hired, employed, or used by an elector, or several electors at their joint cost, for the purpose of being conveyed to or from the poll.

CORRUPT PRACTICE: Defined.

3. The expression "corrupt practice" as used in this Act means any of the following offences; namely, treating and undue influence, as defined by this Act, and bribery, and personation, as defined by the enactments set forth in Part III. of the Third Schedule to this Act, and aiding, abetting, counselling, and procuring the commission of the offence of personation, and every offence which is a corrupt practice within the meaning of this Act shall be a corrupt practice within the meaning of the Parliamentary Elections Act, 1868.

(*See* also under each offence for definition.)

Punishment For.—*See* Penalties.

COSTS: Defined.

(64.) The expression "costs" includes costs, charges, and expenses.

CREDITORS, Saving for.

19. The provisions of this Act prohibiting certain payments and contracts for payments, and the payment of any sum, and the incurring of any expense in excess of a certain maximum, shall not affect the right of any creditor, who, when the contract was made or the expense was incurred, was ignorant of the same being in contravention of this Act.

DECLARATION OF EXPENSES.—*See* Election Expenses.

DEPUTY ELECTION AGENTS.—*See* Sub-Agents.

DISPUTED CLAIMS.—*See* Election Expenses, (8).

ELECTION: Defined.

(64.) The expression "election" means the election of a member or members to serve in Parliament.

ELECTION AGENT.

(1) Person found guilty of, or reported guilty of, corrupt practices within seven years previously, prohibited as Election Agent.—For text of Section, *See* Canvassers (1).

(2) Appointment of.

24. (1.) On or before the day of nomination at an election, a person shall be named by or on behalf of each candidate as his agent for such election (in this Act referred to as the election agent).

(2.) A candidate may name himself as election agent, and thereupon shall, so far as circumstances admit, be subject to the provisions of this Act both as a candidate and as an election agent, and any reference in this Act to an election agent shall be construed to refer to the candidate acting in his capacity of election agent.

(3.) On or before the day of nomination the name and address of the election agent of each candidate shall be declared in writing by the candidate or some other person on his behalf to the returning officer, and the returning officer shall forthwith give public notice of the name and address of every election agent so declared.

(4.) One election agent only shall be appointed for each candidate, but the appointment, whether the election agent appointed be the candidate himself or not, may be revoked, and in the event of such revocation or his death, whether such event is before, during, or after the election, then forthwith another election agent shall be appointed, and his name and address declared in writing to the returning officer, who shall forthwith give public notice of the same.

(3) Remuneration of.

32. (1.) So far as circumstances admit, this Act shall apply to a claim for his remuneration by an election agent and to the payment thereof in like manner as if he were any other creditor, and if any difference arises respecting the amount of such claim the claim shall be a disputed claim within the meaning of this Act, and be dealt with accordingly.

(4) Making of Contracts by.

27. (1.) The election agent of a candidate by himself or by his sub-agent shall appoint every polling agent, clerk, and messenger employed for payment on behalf of the candidate at an election, and hire every committee room hired on behalf of the candidate.

(2.) A contract whereby any expenses are incurred on account of or in respect of the conduct or management of an election shall not be enforceable against a candidate at such election unless made by the candidate himself or by his election agent, either by himself or by his sub-agent; provided that the inability under this section to enforce such contract against the candidate shall not relieve the candidate from the consequences of any corrupt or illegal practice having been committed by his agent.

ELECTION AGENT.

(5) Payment of Expenses through, &c.

28. (1.) Except as permitted by or in pursuance of this Act, no payment and no advance or deposit shall be made by a candidate at an election or by any agent on behalf of the candidate or by any other person at any time, whether before, during, or after such election, in respect of any expenses incurred on account of or in respect of the conduct or management of such election, otherwise than by or through the election agent of the candidate, whether acting in person or by a sub-agent; and all money provided by any person other than the candidate for any expenses incurred on account of or in respect of the conduct or management of the election, whether as gift, loan, advance, or deposit, shall be paid to the candidate or his election agent and not otherwise;

Provided that this section shall not be deemed or apply to a tender of security to or any payment by the returning officer or to any sum disbursed by any person out of his own money for any small expense legally incurred by himself, if such sum is not repaid to him.

(2.) A person who makes any payment, advance, or deposit in contravention of this section, or pays in contravention of this section any money so provided as aforesaid, shall be guilty of an illegal practice.

(6) Petty Expenses: Payment by Persons authorised.

31. (3.) Any person may, if so authorised in writing by the election agent of the candidate, pay any necessary expenses for stationery, postage, telegrams, and other petty expenses, to a total amount not exceeding that named in the authority, but any excess above the total amount so named shall be paid by the election agent.

(4.) A statement of the particulars of payments made by any person so authorised shall be sent to the election agent within the time limited by this Act for the sending in of claims, and shall be vouched for by a bill containing the receipt of that person.

(7) Office for Claims.

26. (1.) An election agent at an election for a county or borough shall have within the county or borough, or within any county of a city or town adjoining thereto, and a sub-agent shall have within his district, or within any county of a city or town adjoining thereto, an office or place to which all claims, notices, writs, summons, and documents may be sent, and the address of such office or place shall be declared at the same time as the appointment of the said agent to the returning officer, and shall be stated in the public notice of the name of the agent.

(2.) Any claim, notice, writ, summons, or document delivered at such office or place and addressed to the election agent or sub-agent, as the case may be, shall be deemed to have been served on him, and every such agent may in respect of any matter connected with the election in which he is acting be sued in any court having jurisdiction, in the county or borough in which the said office or place is situate.

ELECTION COMMISSIONERS; Defined.

(64.) The expression "Election Commissioners" means commissioners appointed in pursuance of the Election Commissioners Act, 1852, and the enactments amending the same.

ELECTION COURT; Defined.

(64.) The expression "election court" means the judges presiding at the trial of an election petition, or, if the matter comes before the High Court, that court.

ELECTION EXPENSES.

(1) Scale.

Maximum Scale.

(1.) In a borough the expenses mentioned above in Parts I., II., and III. of this schedule, other than personal expenses and sums paid to the returning officer for his charges, shall not exceed in the whole the maximum amount in the scale following:—

If the number of electors on the register—	The maximum amount shall be—
Does not exceed 2,000	£350.
Exceeds 2,000	£380, and an additional £30 for every complete 1,000 electors above 2,000.

Provided that in Ireland if the number

of electors on the register—	The maximum amount shall be—
Does not exceed 500 ..	£200.
Exceeds 500, but does not exceed 1,000	£250.
Exceeds 1,000, but does not exceed 1,500 ..	£275.

(2.) In a county the expenses mentioned above in Parts I., II., and III. of this schedule, other than personal expenses and sums paid to the returning officer for his charges, shall not exceed in the whole the maximum amount in the scale following:—

If the number of electors on the register—	The maximum amount shall be—
Does not exceed 2,000	£650 in England and Scotland, and £500 in Ireland.
Exceeds 2,000	£710 in England and Scotland, and £540 in Ireland; and an additional £60 in England and Scotland, and £40 in Ireland, for every complete 1,000 electors above 2,000.

—(1st Schedule, Part IV.)

(2.) For the purposes of this schedule the number of electors shall be taken according to the enumeration of the electors in the register of electors.—(1st Schedule, Part V.)

NOTE.—See also under CANDIDATE FOR SCALE IN CASES OF JOINT CANDIDATURE.

ELECTION EXPENSES.

Maximum Scale.

	England and Scotland.		Ireland.*
Number of Electors on Register.	Boroughs.	Counties.	Counties.
	£	£	£
Does not exceed 2000..	350	650	500
2,001 to 2,999 inclusive	380	710	540
3,000 to 3,999 ,,	410	770	580
4,000 to 4,999 ,,	440	830	620
5,000 to 5,999 ,,	470	890	660
6,000 to 6,999 ,,	500	950	700
7,000 to 7,999 ,,	530	1,010	740
8,000 to 8,999 ,,	560	1,070	780
9,000 to 9,999 ,,	590	1,130	820
10,000 to 10,999 ,,	620	1,190	860
11,000 to 11,999 ,,	650	1,250	900
12,000 to 12,999 ,,	680	1,310	940
13,000 to 13,999 ,,	710	1,370	980
14,000 to 14,999 ,,	740	1,430	1,020
15,000 to 15,999 ,,	770	1.490	1,060
16,000 to 16,999 ,,	800	1,550	
17,000 to 17,999 ,,	830	1,610	
18,000 to 18,999 ,,	860	1,670	
19,000 to 19,999 ,,	890	1,730	

NOTE.—Where there are two or more joint candidates at an election the maximum amount of expenses shall for each of such joint candidates be reduced by one-fourth, or if there are more than two joint candidates by one-third.—1st Schedule, Part V., Sec. (3).

* IRELAND: In boroughs where number of electors does not exceed 500, maximum is £200; does not exceed 1,000, is £250; does not exceed 1,500, is £275.

(2) Classification of Legal.

LEGAL EXPENSES IN ADDITION TO EXPENSES UNDER PART I. (*i.e.*, Persons employed for Payment—*see* under EMPLOYMENT FOR PAYMENT.)

(1.) Sums paid to the returning officer for his charges not exceeding the amount authorised by the Act, 38 & 39 Vict. c. 84.

(2.) The personal expenses of the candidate.

(3.) The expenses of printing, the expenses of advertising, and the expenses of publishing, issuing, and distributing addresses and notices.

ELECTION EXPENSES.

(4.) The expenses of stationery, messages, postage, and telegrams.

(5.) The expenses of holding public meetings.

(6.) In a borough the expenses of one committee room and if the number of electors in the borough exceeds five hundred then of a number of committee rooms not exceeding the number of one committee room for every complete five hundred electors in the borough, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then of one committee room for such number, although not amounting to a complete five hundred.

(7.) In a county the expenses of a central committee room, and in addition of a number of committee rooms not exceeding in number one committee room for each polling district in the county, and where the number of electors in a polling district exceeds five hundred one additional committee room may be hired for every complete five hundred electors in such polling district over and above the first five hundred. (1st Schedule, Part 2.)

Maximum for Miscellaneous Matters.

Expenses in respect of miscellaneous matters other than those mentioned in Part I. and Part II. of this schedule not exceeding in the whole the maximum amount of two hundred pounds, so nevertheless that such expenses are not incurred in respect of any matter or in any manner constituting an offence under this or any other Act, or in respect of any matter or thing, payment for which is expressly prohibited by this or any other Act.—(1st Schedule, Part 3.)

(3) Exceeding Maximum.

8. (1.) Subject to such exception as may be allowed in pursuance of this Act, no sum shall be paid and no expense shall be incurred by a candidate at an election or his election agent, whether before, during, or after an election, on account of or in respect of the conduct or management of such election, in excess of any maximum amount in that behalf specified in the 1st Schedule to this Act.

(2.) Any candidate or election agent who knowingly acts in contravention of this section shall be guilty of an illegal practice.

(4) Relief for Innocently Exceeding Maximum.—*See* Relief.

(5) Payment through Election Agent.—*See* Election Agent (4) and (5); also Payment to Candidate or Election Agent of money provided for election.

(6) Petty Expenses; Payment of, otherwise than through Election Agent.—*See* Election Agent (6).

ELECTION EXPENSES.

(7) Period for Sending in Claims and Making Payment for Election Expenses.

29. (1.) Every payment made by an election agent, whether by himself or a sub-agent, in respect of any expenses incurred on account of or in respect of the conduct or management of an election, shall, except where less than forty shillings, be vouched for by a bill stating the particulars and by a receipt.

(2.) Every claim against a candidate at an election or his election agent in respect of any expenses incurred on account of or in respect of the conduct or management of such election which is not sent in to the election agent within the time limited by this Act shall be barred and shall not be paid; and, subject to such exception as may be allowed in pursuance of this Act, an election agent who pays a claim in contravention of this enactment shall be guilty of an illegal practice.

(3.) Except as by this Act permitted, the time limited by this Act for SENDING IN CLAIMS shall be FOURTEEN days after the day on which the candidates returned are declared elected.

(4.) All expenses incurred by or on behalf of a candidate at an election, which are incurred on account of or in respect of the conduct or management of such election, shall be paid within the time limited by this Act and not otherwise; and, subject to such exception as may be allowed in pursuance of this Act, an election agent who makes a payment in contravention of this provision shall be guilty of an illegal practice.

(5.) Except as by this Act permitted, the time limited by this Act for the PAYMENT OF SUCH EXPENSES as aforesaid shall be TWENTY-EIGHT DAYS AFTER THE DAY ON WHICH THE CANDIDATES RETURNED ARE DECLARED ELECTED.

(6.) Where the election court reports that it has been proved to such court by a candidate that any payment made by an election agent in contravention of this section was made without the sanction or connivance of such candidate, the election of such candidate shall not be void, nor shall he be subject to any incapacity under this Act by reason only of such payment having been made in contravention of this section.

(7.) If the election agent in the case of any claim sent in to him within the time limited by this Act disputes it, or refuses or fails to pay it within the said period of twenty-eight days, such claim shall be deemed to be a disputed claim.

(8.) The claimant may, if he thinks fit, bring an action for a disputed claim in any competent court; and any sum paid by the candidate or his agent in pursuance of the judgment or order of such court shall be deemed to be paid within the time limited by this Act, and to be an exception from the provisions of this Act, requiring claims to be paid by the election agent.

(9.) On cause shown to the satisfaction of the High Court, such court on application by the claimant or by the candidate or his election agent may by order give leave for the payment by a candidate or his election agent of a disputed claim, or of a claim for any such expenses

ELECTION EXPENSES.

as aforesaid, although sent in after the time in this section mentioned for sending in claims, or although the same was sent in to the candidate and not to the election agent.

(10.) Any sum specified in the order of leave may be paid by the candidate or his election agent, and when paid in pursuance of such leave shall be deemed to be paid within the time limited by this Act.

(*See also* PETTY EXPENSES under ELECTION AGENT (6).)

(8) Disputed Claims against Candidate.

30. If any action is brought in any competent court to recover a disputed claim against a candidate at an election, or his election agent, in respect of any expenses incurred on account or in respect of the conduct or management of such election, and the defendant admits his liability, but disputes the amount of the claim, the said amount shall, unless the court on the application of the plaintiff in the action otherwise directs, be forthwith referred for taxation to the master, official referee, registrar, or other proper officer of the court, and the amount found due on such taxation shall be the amount to be recovered in such action in respect of such claim.

(9) Return and Declaration of Expenses.

33. (1.) Within thirty-five days after the day on which the candidates returned at an election are declared elected, the election agent of every candidate at that election shall transmit to the returning officer a true return (in this Act referred to as a return respecting election expenses), in the form set forth in the Second Schedule to this Act or to the like effect, containing, as respects that candidate,—

(*a.*) A statement of all payments made by the election agent, together with all the bills and receipts (which bills and receipts are in this Act included in the expression "return respecting election expenses");

(*b.*) A statement of the amount of personal expenses, if any, paid by the candidate;

(*c.*) A statement of the sums paid to the returning officer for his charges, or, if the amount is in dispute, of the sum claimed and the amount disputed;

(*d.*) A statement of all other disputed claims of which the election agent is aware;

(*e.*) A statement of all the unpaid claims, if any, of which the election agent is aware, in respect of which application has been or is about to be made to the High Court;

(*f.*) A statement of all money, securities, and equivalent of money received by the election agent from the candidate or any other person for the purpose of expenses incurred or to be incurred on account of or in respect of the conduct or management of the election, with a statement of the name of every person from whom the same may have been received.

ELECTION EXPENSES.

(2.) The return so transmitted to the returning officer shall be accompanied by a declaration made by the election agent before a justice of the peace in the form in the Second Schedule to this Act (which declaration is in this Act referred to as a declaration respecting election expenses).

(3.) Where the candidate has named himself as his election agent, a statement of all money, securities, and equivalent of money paid by the candidate shall be substituted in the return required by this section to be transmitted by the election agent for the like statement of money, securities, and equivalent of money received by the election agent from the candidate; and the declaration by an election agent respecting election expenses need not be made, and the declaration by the candidate respecting election expenses shall be modified as specified in the Second Schedule to this Act.

(4.) At the same time that the agent transmits the said return, or within seven days afterwards, the candidate shall transmit or cause to be transmitted to the returning officer a declaration made by him before a justice of the peace, in the form in the first part of the Second Schedule to this Act (which declaration is in this Act referred to as a declaration respecting election expenses).

(5.) If in the case of an election for any county or borough, the said return and declarations are not transmitted before the expiration of the time limited for the purpose, the candidate shall not, after the expiration of such time, sit or vote in the House of Commons as member for that county or borough until either such return and declarations have been transmitted, or until the date of the allowance of such an authorised excuse for the failure to transmit the same, as in this Act mentioned, and if he sits or votes in contravention of this enactment he shall forfeit one hundred pounds for every day on which he so sits or votes to any person who sues for the same.

(6.) If without such authorised excuse as in this Act mentioned, a candidate or an election agent fails to comply with the requirements of this section he shall be guilty of an illegal practice.

(7.) If any candidate or election agent knowingly makes the declaration required by this section falsely, he shall be guilty of an offence, and on conviction thereof on indictment shall be liable to the punishment for wilful and corrupt perjury; such offence shall also be deemed to be a corrupt practice within the meaning of this Act.

(8.) Where the candidate is out of the United Kingdom at the time when the return is so transmitted to the returning officer, the declaration required by this section may be made by him within fourteen days after his return to the United Kingdom, and in that case shall be forthwith transmitted to the returning officer, but the delay hereby authorised in making such declaration shall not exonerate the election agent from complying with the provisions of this Act as to the return and declaration respecting election expenses.

ELECTION EXPENSES.

(9.) Where, after the date at which the return respecting election expenses is transmitted, leave is given by the High Court for any claims to be paid, the candidate or his election agent shall, within seven days after the payment thereof, transmit to the returning officer a return of the sums paid in pursuance of such leave accompanied by a copy of the order of the court giving the leave, and in default he shall be deemed to have failed to comply with the requirements of this section without such authorised excuse as in this Act mentioned.

(10) Publication of Summary of Return.

35. (1.) The returning officer at an election within ten days after he receives from the election agent of a candidate a return respecting election expenses shall publish a summary of the return in not less than two newspapers circulating in the county or borough for which the election was held, accompanied by a notice of the time and place at which the return and declarations (including the accompanying documents) can be inspected, and may charge the candidate in respect of such publication, and the amount of such charge shall be the sum allowed by the Parliamentary Elections (Returning Officers) Act, 1875.

(2.) The return and declarations (including the accompanying documents) sent to the returning officer by an election agent shall be kept at the office of the returning officer, or some convenient place appointed by him, and shall at all reasonable times during two years next after they are received by the returning officer be open to inspection by any person on payment of a fee of one shilling, and the returning officer shall on demand furnish copies thereof or any part thereof at the price of twopence for every seventy-two words. After the expiration of the said two years the returning officer may cause the said return and declarations, (including the accompanying documents,) to be destroyed, or, if the candidate or his election agent so require, shall return the same to the candidate.

(11) Authorised Excuse for Default, &c., in Making Declaration.

34. (1.) Where the return and declarations respecting election expenses of a candidate at an election for a county or borough have not been transmitted as required by this Act, or being transmitted contain some error or false statement, then—

(*a.*) if the candidate applies to the High Court or an election court and shows that the failure to transmit such return and declarations, or any of them, or any part thereof, or any error or false statement therein, has arisen by reason of his illness, or of the absence, death, illness, or misconduct of his election agent or sub-agent or of any clerk or officer of such agent, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant, or

ELECTION EXPENSES.

(*b.*) if the election agent of the candidate applies to the High Court or an election court and shows that the failure to transmit the return and declarations which he was required to transmit, or any part thereof, or any error or false statement therein, arose by reason of his illness or of the death or illness of any prior election agent of the candidate, or of the absence, death, illness, or misconduct of any sub-agent, clerk, or officer of an election agent of the candidate, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant,

the court may, after such notice of the application in the said county or borough, and on production of such evidence of the grounds stated in the application, and of the good faith of the application, and otherwise, as to the court seems fit, make such order for allowing an authorised excuse for the failure to transmit such return and declaration, or for an error or false statement in such return and declaration, as to the court seems just.

(2.) Where it appears to the court that any person being or having been election agent or sub-agent has refused or failed to make such return or to supply such particulars as will enable the candidate and his election agent respectively to comply with the provisions of this Act as to the return and declaration respecting election expenses, the court before making an order allowing the excuse as in this section mentioned shall order such person to attend before the court, and on his attendance shall, unless he shows cause to the contrary, order him to make the return and declaration, or to deliver a statement of the particulars required to be contained in the return, as to the court seem just, and to make or deliver the same within such time and to such person and in such manner as the court may direct, or may order him to be examined with respect to such particulars, and may in default of compliance with any such order order him to pay a fine not exceeding five hundred pounds.

(3.) The order may make the allowance conditional upon the making of the return and declaration in a modified form or within an extended time, and upon the compliance with such other terms as to the court seem best calculated for carrying into effect the objects of this Act; and an order allowing an authorised excuse shall relieve the applicant for the order from any liability or consequences under this Act in respect of the matter excused by the order; and where it is proved by the candidate to the court that any act or omission of the election agent in relation to the return and declaration respecting election expenses was without the sanction or connivance of the candidate, and that the candidate took all reasonable means for preventing such act or omission, the court shall relieve the candidate from the consequences of such act or omission on the part of his election agent.

(4.) The date of the order, or if conditions and terms are to be complied with, the date at which the applicant fully complies with them, is referred to in this Act as the date of the allowance of the excuse.

ELECTION EXPENSES.

(12) Declaration as to Expenses.

Form for Candidate.

I , having been a candidate at the election for the county [*or* borough] of on the day of , do hereby solemnly and sincerely declare that I have examined the return of election expenses [about to be] transmitted by my election agent [*or if the candidate is his own election agent,* " by me "] to the returning officer at the said election, a copy of which is now shown to me and marked , and to the best of my knowledge and belief that return is correct;

And I further solemnly and sincerely declare that, except as appears from that return, I have not, and to the best of my knowledge and belief no person, nor any club, society, or association, has, on my behalf, made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election;

And I further solemnly and sincerely declare that I have paid to my election agent [*if the candidate is also his own election agent, leave out* " to my election agent "] the sum of pounds and no more for the purpose of the said election, and that, except as specified in the said return, no money, security, or equivalent for money has to my knowledge or belief been paid, advanced, given, or deposited by anyone to or in the hands of my election agent [*or if the candidate is his own election agent,* " myself "] or any other person for the purpose of defraying any expenses incurred on my behalf on account of or in respect of the conduct or management of the said election;

And I further solemnly and sincerely declare that I will not, except so far as I may be permitted by law, at any future time make or be party to the making or giving of, any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent for money for the purpose of defraying any such expenses.

Signature of declarant *C.D.*

Signed and declared by the above-named declarant on the day of , before me.

(Signed) *E.F.*

Justice of the Peace for

—(2nd Schedule, Part 1.)

ELECTION EXPENSES.

(13) Declaration by Candidate Nominated in His Absence. Form of Declaration as to Expenses.

Form for Candidate where declared a Candidate or Nominated in his absence and taking no part in the Election.

I, , having been nominated [*or* having been declared by others] in my absence [to be] a candidate at the election for the county or borough of held on the day of , do hereby solemnly and sincerely declare that I have taken no part whatever in the said election.

And I further solemnly and sincerely declare that [*or* with the exception of] I have not, and no person, club, society, or association at my expense has, made any payment or given, promised, or offered, any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election.

And I further solemnly and sincerely declare that [*or* with the exception of] I have not paid any money or given any security or equivalent for money to the person acting as my election agent at the said election, or to any other person, club, society, or association on account of or in respect of the conduct or management of the said election, and that [*or* with the exception of] I am entirely ignorant of any money security or equivalent for money having been paid, advanced, given, or deposited by any one for the purpose of defraying any expenses incurred on account of or in respect of the conduct or management of the said election.

And I further solemnly and sincerely declare that I will not, except so far as I may be permitted by law, at any future time make or be party to the making or giving of any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent of money for the purpose of defraying any such expenses.

Signature of declarant *C.D.*

Signed and declared by the above-named declarant on the day of , before me.

(Signed) *E.F.*
Justice of the Peace for

—(2nd Schedule, Part 2.)

(14) Declaration of Expenses.

Form for Election Agent.

I, , being election agent to , candidate at the election for the county [*or* borough] of , on the day of , do hereby solemnly and sincerely declare that I have examined the return of election expenses about to

ELECTION EXPENSES.

be transmitted by me to the returning officer at the said election, and now shown to me and marked, , and to the best of my knowledge and belief that return is correct;

And I hereby further solemnly and sincerely declare that, except as appears from that return, I have not and to the best of my knowledge and belief no other person, nor any club, society, or association has on behalf of the said candidate made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election;

And I further solemnly and sincerely declare that I have received from the said candidate pounds and no more [*or* nothing] for the purpose of the said election, and that, except as specified in the said return sent by me, no money, security, or equivalent for money has been paid, advanced, given, or deposited by any one to me or in my hands, or, to the best of my knowledge and belief, to or in the hands of any other person for the purpose of defraying any expenses incurred on behalf of the said candidate on account of, or in respect of the conduct or management of the said election.

Signature of declarant *A.B.*

Signed and declared by the above-named declarant on the day of before me.

(Signed) *E.F.*

Justice of the peace for

—(2nd Schedule, Part 1.)

(15) Return of Election Expenses Form.

Form of Return of Election Expenses.

I, *A.B.*, being election agent to *C.D.*, candidate at the election for the county [*or* borough] of on the day of , make the following return respecting election expenses of the said candidate at the said election [*or where the candidate has named himself as election agent,* " I, *C.D.*, candidate " at the election for the county [*or* borough] of on the " day of , acting as my own election agent, " make the following return respecting my election expenses at the " said election "].

Receipts.

Received of [*the above-named candidate*] *or where the candidate is his own election agent,* " Paid by me "] £

Received of *J.K.* .. .. £

[*Here set out the name and description of every person, club, society, or association, whether the candidate or not, from whom any money, securities, or equivalent of money was received in respect of expenses incurred on account of or in connexion with or incidental to the above election, and the amount received from each person, club, society, or association separately.*]

ELECTION EXPENSES.

Expenditure.

Paid to *E.F.*, the returning officer for the said county [*or* borough], for his charges at the said election .. £

Personal expenses of the said *C.D.*, paid by himself [*or if the candidate is his own election agent,* "Paid by me as candidate"] .. .. £

Do. do. paid by me [*or if the candidate is his own election agent, add* "acting as election agent"] .. .. £

Received by me for my services as election agent at the said election [*or if the candidate is his own election agent, leave out this item*] .. .. £

Paid to *G.H.* as sub-agent of the polling district of .. £

[*The name and description of each sub-agent and the sum paid to him must be set out separately.*]

Paid to as polling agent .. .. .. £

Paid to as clerk for days services .. £

Paid to as messenger for days services .. £

[*The names and descriptions of every polling agent, clerk, and messenger, and the sum paid to each, must be set out separately either in the account or in a separate list annexed to and referred to in the account, thus,* "Paid to polling agent (or *as the case may be*) as per annexed list £ ."]

Paid to the following persons in respect of goods supplied or work and labour done:

To *P.Q.* (printing) .. .. £

To *M.N.* (advertising) .. .. £

To *R.S.* (stationery) .. .. £

[*The name and description of each person, and the nature of the goods supplied, or the work and labour done by each, must be set out separately either in the account or in a separate list annexed to and referred to in the account.*]

Paid for postage .. .. £

Paid for telegrams .. .. £

Paid for the hire of rooms as follows:—

For holding public meetings .. .. £

For committee rooms .. .. £

[*A room hired for a public meeting or for a committee room must be named or described so as to identify it; and the name and description of every person to whom any payment was made for each such room, together with the amount paid, must be set out separately either in the account or in a separate list annexed to and referred to in the account.*]

Paid for miscellaneous matters, namely— .. .. £

[*The name and description of each person to whom any sum is paid, and the reason for which it was paid to*

ELECTION EXPENSES.

him, must be set out separately either in the account or in a separate list annexed to and referred to in the account.]

In addition to the above, I am aware, as election agent for *C.D.*, [*or if the candidate is his own election agent, leave out* "as election agent for *C.D.*"] of the following disputed and unpaid claims; namely,—

Disputed claims.

By *T.U.* for .. .. £

[*Here set out the name and description of each person whose claim is disputed, the amount of the claim, and the goods, work, or other matter on the ground of which the claim is based.*]

Unpaid claims allowed by the High Court to be paid after the proper time or in respect of which application has been or is about to be made to the High Court.

By *M.O.* for .. .. £

[*Here state the name and description of each person to whom any such claim is due, and the amount of the claim, and the goods, work, and labour or other matter on account of which the claim is due.*]

(Signed) *A.B.*

—(2nd Schedule, Part I.)

ELECTOR; Defined.

64. The expression "elector" means any person whose name is for the time being on the register roll or book containing the names of the persons entitled to vote at the election with reference to which the expression is used:

(As to Electors prohibited from Voting, *See* **VOTING.**)

EMPLOYMENT FOR PAYMENT.

Persons Legally Employed for Payment.

(1.) One election agent and no more.

(2.) In counties one deputy election agent (in this Act referred to as a sub-agent) to act within each polling district and no more.

(3.) One polling agent in each polling station and no more.

(4.) In a borough one clerk and one messenger, or if the number of electors in the borough exceeds five hundred, a number of clerks and messengers not exceeding in number one clerk and one messenger for every complete five hundred electors in the borough, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five hundred.

(5.) In a county for the central committee room one clerk and one messenger, or if the number of electors in the county exceeds five

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thousand, then a number of clerks and messengers not exceeding in number one clerk and one messenger for every complete five thousand electors in the county; and if there is a number of electors over and above any complete five thousand or complete five thousands of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five thousand.

(6.) In a county a number of clerks and messengers not exceeding in number one clerk and one messenger for each polling district in the county, or where the number of electors in a polling district exceeds five hundred one clerk and one messenger for every complete five hundred electors in the polling district, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five hundred: Provided always, that the number of clerks and messengers so allowed in any county may be employed in any polling district where their services may be required.

(7.) Any such paid election agent, sub-agent, polling agent, clerk, and messenger may or may not be an elector but may not vote.—(1st Schedule, Part 1.)

(*See also* ILLEGAL EMPLOYMENT.)

EXCUSE FOR ILLEGALITIES.—*See* Relief.

FLAGS.—*See* Marks of Distinction.

HACKNEY CARRIAGES.—*See* Conveyances Prohibited.

ILLEGAL EMPLOYMENT.

17. (1.) No person shall, for the purpose of promoting or procuring the election of a candidate at any election, be engaged or employed for payment or promise of payment for any purpose or in any capacity whatever, except for any purposes or capacities mentioned in the first or second parts of the First Schedule to this Act, or except so far as payment is authorised by the first or second parts of the First Schedule to this Act. (*See* EMPLOYMENT FOR PAYMENT.)

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any person is engaged or employed in contravention of this section, either before, during, or after an election, the person engaging or employing him shall be guilty of illegal employment, and the person so engaged or employed shall also be guilty of illegal employment if he knew that he was engaged or employed contrary to law.

ILLEGAL HIRING.—*See* Committee Rooms—Premises Prohibited. Conveyance of Voters.

ILLEGAL PAYMENT.

13. Where a person knowingly provides money for any payment which is contrary to the provisions of this Act, or for any expenses incurred in excess of any maximum amount allowed by this Act, or for replacing any money expended in any such payment or expenses, except where the same may have been previously allowed in pursuance of this Act to be an exception, such person shall be guilty of illegal payment.

[For other payments declared to be illegal, *see* under separate headings.]

ILLEGAL PRACTICES.—*See* under separate headings.

[For consecutive List, *vide* text, pp. 111–123.]

INDICTMENT; Defined.

64. The expression "indictment" includes information.

INTIMIDATION.—*See* Undue Influence.

IRELAND; Application of Act to.

69. This Act shall apply to Ireland, with the following modifications:—

(1.) No person shall be tried for any offence against this Act under any of the provisions of the Prevention of Crime (Ireland) Act, 1882.

(3.) Section one hundred and three of the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, shall be substituted for section ninety-seven of the Parliamentary Registration Act, 1843, where reference is made to that section in this Act.

(8.) The Attorney-General for Ireland shall be substituted for the Director of Public Prosecutions, and the reference to the prosecution of the Offences Act, 1879, shall not apply.

(10.) Any reference to Part IV. of the Municipal Corporations Act, 1882, shall be construed to refer to the Corrupt Practices (Municipal Elections) Act, 1872.

(11.) Any reference to the Licensing Acts shall be construed to refer to the Licensing Acts (Ireland), 1872-1874.

(12.) The Public Health (Ireland) Act, 1878, shall be substituted for the Public Health Act, 1875.

(13.) The provisions with respect to the removal of cases to the Central Criminal Court, or to the trial of cases at the Royal Courts of Justice, shall not apply to Ireland.

JOINT CANDIDATURE.—*See* Candidate (3).

JUDICIAL OFFICE; Defined.

64. The expression "judicial office" includes the office of justice of the peace and revising barrister.

LICENSED PREMISES.—*See* Committee Rooms (2).

MARKS OF DISTINCTION.

16. (1.) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made on account of bands of music, torches, flags, banners, cockades, ribbons, or other marks of distinction.

(2.) Subject to such exception as may be allowed in pursuance of this Act, if any payment or contract for payment is made in contravention of this section, either before, during, or after an election, the person making such payment shall be guilty of illegal payment, and any person being a party to any such contract or receiving such payment shall also be guilty of illegal payment if he knew that the same was made contrary to law.

MEETINGS; DISORDERLY CONDUCT at, for purpose of preventing transaction of business.—*See* under Public Meeting Act, 1908.

MESSENGERS.—*See* Employment for Payment.

MISCELLANEOUS EXPENSES; Limit of. — *See* Election Expenses (2).

NOMINATION OF CANDIDATE Without Consent. — *See* Candidate (2).

PAYMENT; Defined.

64. The expression "payment" includes any pecuniary or other reward; and the expressions "pecuniary reward" and "money" shall be deemed to include any office, place, or employment, and any valuable security or other equivalent for money, and any valuable consideration, and expressions referring to money shall be construed accordingly.

PAYMENTS in connection with Elections.—*See* Election Agent, (4), (5), and (6).

PENALTIES AND PUNISHMENTS.—(*See* also under headings of various offences.)

(A.) **CORRUPT PRACTICES.**

(1) Candidate Guilty Personally.

4. Where upon the trial of an election petition respecting an election for a county or borough the election court, by the report made to the Speaker in pursuance of section eleven of the Parliamentary Elections Act, 1868, reports that any corrupt practice other than

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treating or undue influence has been proved to have been committed in reference to such election by or with the knowledge and consent of any candidate at such election, or that the offence of treating or undue influence has been proved to have been committed in reference to such election by any candidate at such election, that candidate shall not be capable of ever being elected to or sitting in the House of Commons for the said county or borough, and if he has been elected, his election shall be void ; and he shall further be subject to the same incapacities as if at the date of the said report he had been convicted on an indictment of a corrupt practice.

(2) Candidate Guilty by Agents.

5. Upon the trial of an election petition respecting an election for a county or borough, in which a charge is made of any corrupt practice having been committed in reference to such election, the election court shall report in writing to the Speaker whether any of the candidates at such election has been guilty by his agents of any corrupt practice in reference to such election ; and if the report is that any candidate at such election has been guilty by his agents of any corrupt practice in reference to such election, that candidate shall not be capable of being elected to or sitting in the House of Commons for such county or borough for seven years after the date of the report, and if he has been elected his election shall be void.

(3) Punishment of Person Convicted on Indictment.

6. (1.) A person who commits any corrupt practice other than personation, or aiding, abetting, counselling, or procuring the commission of the offence of personation, shall be guilty of a misdemeanor, and on conviction on indictment shall be liable to be imprisoned, with or without hard labour, for a term not exceeding one year, or to be fined any sum not exceeding two hundred pounds.

(2.) A person who commits the offence of personation, or of aiding, abetting, counselling, or procuring the commission of that offence, shall be guilty of felony, and any person convicted thereof on indictment shall be punished by imprisonment for a term not exceeding two years, together with hard labour.

(3.) A person who is convicted on indictment of any corrupt practice shall (in addition to any punishment as above provided) be not capable during a period of seven years from the date of his conviction :

(*a.*) of being registered as an elector or voting at any election in the United Kingdom, whether it be a parliamentary election or an election for any public office within the meaning of this Act ; or

(*b.*) of holding any public or judicial office within the meaning of this Act, and if he holds any such office the office shall be vacated.

PENALTIES AND PUNISHMENTS.

(4.) Any person so convicted of a corrupt practice in reference to any election shall also be incapable of being elected to and of sitting in the House of Commons during the seven years next after the date of his conviction, and if at that date he has been elected to the House of Commons his election shall be vacated from the time of such conviction.

(B.) ILLEGAL PRACTICES.

(1) Punishment for Illegal Practice.

10. A person guilty of an illegal practice, whether under the foregoing sections or under the provisions hereinafter contained in this Act, shall on summary conviction be liable to a fine not exceeding one hundred pounds and be incapable during a period of five years from the date of his conviction of being registered as an elector or voting at any election (whether it be a parliamentary election or an election for a public office within the meaning of this Act) held for or within the county or borough in which the illegal practice has been committed.

(2) Report of Election Court and Punishment of Candidate.

11. Sub-section fourteen of section eleven of the Parliamentary Elections Act, 1868, shall apply as if that sub-section were herein re-enacted with the substitution of illegal practice within the meaning of this Act for corrupt practice; and upon the trial of an election petition respecting an election for a county or borough, the election court shall report in writing to the Speaker the particulars required by the said sub-section as herein re-enacted, and shall also report whether any candidate at such election has been guilty by his agents of any illegal practice within the meaning of this Act in reference to such election, and the following consequences shall ensue upon the report by the election court to the Speaker; (that is to say,)

(*a.*) If the report is that any illegal practice has been proved to have been committed in reference to such election by or with the knowledge and consent of any candidate at such election, that candidate shall not be capable of being elected to or sitting in the House of Commons for the said county or borough for seven years next after the date of the report, and if he has been elected his election shall be void; and he shall further be subject to the same incapacities as if at the date of the report he had been convicted of such illegal practice; and

(*b.*) If the report is that a candidate at such election has been guilty by his agents of any illegal practice in reference to such election, that candidate shall not be capable of being elected to or sitting in the House of Commons for the said county or borough during the Parliament for which the election was held, and if he has been elected, his election shall be void.

PENALTIES AND PUNISHMENTS.

(C.) PUNISHMENT OF ILLEGAL PAYMENT, EMPLOYMENT, OR HIRING.

21. (1.) A person guilty of an offence of illegal payment, employment or hiring shall, on summary conviction, be liable to a fine not exceeding one hundred pounds.

(2.) A candidate or an election agent of a candidate who is personally guilty of an offence of illegal payment, employment, or hiring shall be guilty of an illegal practice.

PERSON: Defined.

64. The expression "person" includes an association or body of persons, corporate or unincorporate, and where any act is done by any such association or body, the members of such association or body who have taken part in the commission of such act shall be liable to any fine or punishment imposed for the same by this Act:

PERSONAL EXPENSES.—*See* Candidate (6) and (7).

PERSONATION: Defined.

The Ballot Act, 1872 (35 & 36 Vict. c. 33, s. 24).

A person shall for all purposes of the laws relating to parliamentary and municipal elections be deemed to be guilty of the offence of personation who, at an election for a county or borough, or at a municipal election, applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead, or of a fictitious person, or who, having voted once at any such election, applies at the same election for a ballot paper in his own name.
—(3rd Schedule, Part 3.)

(The Redistribution of Seats Act, 1885.)

Where any parliamentary borough is divided into divisions in pursuance of this section, a person shall not be registered as entitled to vote, and shall not vote in more than one such division. (Sec. 8 (3).)

In a borough divided into divisions the election for two or more of such divisions shall be deemed to be the same election within the meaning of the enactments relating to personation and voting, and the question which may be asked of voters at the poll shall be: "Have you already voted here or elsewhere at this election for the Borough of either in this, or in any other division?" (Sec. 13 (4).)

PETTY EXPENSES.—*See* Election Agent (6).

PLACARDS.—*See* Bills.

PRINTERS AND PUBLISHERS.—*See* Bills (2).

POLLING AGENTS: Defined.

64. The expression "polling agent" means an agent of the candidate appointed to attend at a polling station in pursuance of the Ballot Act, 1872, or of the Acts therein referred to or amending the same:

(*See* also EMPLOYMENT FOR PAYMENT.)

PUBLIC MEETING ACT, 1908.

1. (1) Any person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, shall be guilty of an offence, and if the offence is committed at a political meeting held in any parliamentary constituency between the date of the issue of a writ for the return of a member of parliament for such constituency, and the date at which a return to such writ is made, he shall be guilty of an illegal practice within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and in any other case shall, on summary conviction, be liable to a fine not exceeding five pounds, or to imprisonment not exceeding one month.

(2) Any person who incites others to commit an offence under this section shall be guilty of a like offence.

2. This Act may be cited as the Public Meeting Act, 1908.

PUBLIC OFFICE.

64. The expression "public office" means any office under the Crown or under the charter of a city or municipal borough or under the Acts relating to Municipal Corporations or to the Poor Law, or under the Elementary Education Act, 1870, or under the Public Health Act, 1875, or under any Acts amending the above-mentioned Acts, or under any other Acts for the time being in force (whether passed before or after the commencement of this Act) relating to local government, whether the office is that of mayor, chairman, alderman, councillor, guardian, member of a board, commission, or other local authority in any county, city, borough, union, sanitary district, or other area, or is the office of clerk of the peace, town clerk, clerk or other officer under a council, board, commission, or other authority, or is any other office, to which a person is elected or appointed under any such charter or Act as above-mentioned, and includes any other municipal or parochial office; and the expressions "election," "election petition," "election court," and "register of electors," shall, where expressed to refer to an election for any such public office, be construed accordingly.

PUNISHMENTS.—*See* Penalties.

RATES; Corrupt Payment of.—*See* Bribery.

REFRESHMENTS.—*See* Treating.

REGISTER OF ELECTORS: Defined.

64. The expression "register of electors" means the [said] register roll or book [containing the names of the persons entitled to vote at the election with reference to which the expression is used].

REGISTRATION FEE; Corrupt Payment of (Scotland).—*See* Bribery.

RELIEF FOR BREACHES OF LAW.

(a) On Trial of Election Petition.

22. Where, upon the trial of an election petition respecting an election for a county or borough, the election court report that a candidate at such election has been guilty by his agents of the offence of treating and undue influence, and illegal practice, or of any such offences, in reference to such election, and the election court further report that the candidate has proved to the court—

(*a.*) That no corrupt or illegal practice was committed at such election by the candidate or his election agent and the offences mentioned in the said report were committed contrary to the orders and without the sanction or connivance of such candidate or his election agent; and

(*b.*) That such candidate and his election agent took all reasonable means for preventing the commission of corrupt and illegal practices at such election; and

(*c.*) That the offences mentioned in the said report were of a trivial, unimportant, and limited character; and

(*d.*) That in all other respects the election was free from any corrupt or illegal practice on the part of such candidate and of his agents;

then the election of such candidate shall not, by reason of the offences mentioned in such report, be void, nor shall the candidate be subject to any incapacity under this Act.

(b) On Application to Court (Illegal Practices, &c.).

23. Where, on application made, it is shown to the High Court or to an election court by such evidence as seems to the Court sufficient—

(*a.*) that any act or omission of a candidate at any election, or of his election agent or of any other agent or person, would, by reason of being a payment, engagement, employment, or contract in contravention of this Act, or being the payment of a sum or the incurring of expense in excess of any maximum amount allowed by this Act, or of otherwise being in contravention of any of the provisions of this Act, be but for this section an illegal practice, payment, employment, or hiring; and

RELIEF FOR BREACHES OF LAW.

(*b.*) that such act or omission arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith; and

(*c.*) that such notice of the application has been given in the county or borough for which the election was held as to the Court seems fit;

and under the circumstances it seems to the Court to be just that the candidate and the said election and other agent and person, or any of them, should not be subject to any of the consequences under this Act of the said act or omission, the Court may make an order allowing such act or omission to be an exception from the provisions of this Act which would otherwise make the same an illegal practice, payment, employment, or hiring, and thereupon such candidate, agent, or person shall not be subject to any of the consequences under this Act of the said act or omission.

RETURN OF EXPENSES.—*See* Election Expenses (9) and (15).

RETURNING OFFICER'S CHARGES—Scale.

The following are *maximum* charges, but they are in no case to exceed *sums actually and necessarily paid or* payable. (38 & 39 Vict. c. 84, as amended.)	Counties (and District Boroughs).	Boroughs.
	£ s. d.	£ s. d.
For preparing and publishing notice of election	2 2 0	2 2 0
For preparing and supplying nomination papers	1 1 0	1 1 0
Travelling to and from place of nomination, or of declaring the Poll at contested election, *per mile*	0 1 0	*nil.*
Hire or necessary fitting up of rooms or buildings for polling, or damage or expenses by or for use of such rooms or buildings	The necessary expenses, not exceeding at any one polling station the charge for constructing and fitting a polling station.	
Constructing a polling station, with its fittings and compartments in England	7 7 0	7 0 0 (*not exceeding two compartments*)

The following are *maximum* charges, but they are in no case to exceed *sums actually and necessarily paid or* payable. (38 & 39 Vict. c. 84, as amended.)	Counties (and District Boroughs).	Boroughs.
In Ireland sums payable under 13 & 14 Vict. c. 68 and 35 & 36 Vict. c. 33.		For each compartment required to be constructed when more than two be used 1 1 0
In Ireland a courthouse shall, where available, be used, maximum charge	3 3 0	For use of each compartment hired when more than two are used 0 5 0
Each ballot box required to be purchased	1 1 0	1 1 0
Use of each ballot box when hired	0 5 0	0 5 0
Stationery at each polling station	0 10 0	0 10 0
Printing and providing ballot papers per 1,000	1 10 0	1 10 0
Each stamping instrument	0 10 0	0 10 0
Copies of register	Sums payable	by Statute.
Each presiding officer	4 4 0	3 3 0
One clerk at each polling station where not more than 500 voters are assigned to such station ..	1 10 0	1 1 0
Additional clerk for every 500 voters or fraction thereof beyond first 500	1 10 0	1 1 0
Every person employed in counting votes not exceeding six such persons where number of registered electors does not exceed 3,000, and one for every additional 2,000 electors ..	1 1 0	1 1 0
Making return to Clerk of the Crown	1 1 0	1 1 0
Preparation and publication of notices (other than the notice of election) not exceeding for the whole of such notices	20 0 0	10 0 0
And for every additional 1,000 electors	1 0 0 (above 3,000 electors)	1 0 0 (above 1,000 electors)
Conveyance of ballot boxes from polling stations to place of counting, per mile	0 1 0	*nil.*

The following are *maximum* charges, but they are in no case to exceed *sums actually and necessarily paid or* payable. (38 & 39 Vict. c. 84, as amended.)	Counties (and District Boroughs).	Boroughs.
Professional and other assistance in and about conduct of election ..	In a contested election not exceeding £25 and an additional £3 for every 1,000 registered electors or fraction thereof above 3,000 and up to 10,000, and £2 for every 1,000 or fraction thereof above 10,000. In an uncontested election one-fifth of above sums	In a contested election not exceeding £20 an additional £2 for every 1,000 registered electors or fraction thereof above 1,000 and up to 10,000, and £1 additional for every 1,000 or fraction thereof above 10,000. In an uncontested election one-fifth of above sums
Travelling expenses of presiding officers and clerks, per mile ..	0 1 0	*nil.*
Services and expenses in relation to receiving and publishing accounts of election expenses, in respect of each candidate	2 2 0	1 1 0
All other expenses	In a contested election not exceeding £10 and an additional £1 for every 1,000 electors or fraction thereof above 1,000. In an uncontested election, *nil.*	Not exceeding £10, and an additional £1 for every 1,000 electors above the first 1,000.
SCOTLAND.—Scale of charges differs, and is fixed by the Returning Officers (Scotland) Act, 1891.		

NOTE.—Travelling expenses are not to be allowed in the case of any person unless for distances exceeding two miles from the place at which he resides.

The above sums are the aggregate charges, THE AMOUNT OF WHICH IS TO BE APPORTIONED AMONG THE SEVERAL CANDIDATES or other persons liable for the same.

RETURNING OFFICER'S SECURITY FOR CHARGES.

Maximum amount which may be required.	County or District Boroughs.	Borough.
	£	£
Where registered electors do not exceed 1,000	150	100
Exceeding 1,000 but not exceeding 2,000	200	150
,, 2,000 ,, ,, ,, 4,000	275	200
,, 4,000 ,, ,, ,, 7,000	400	250
,, 7,000 ,, ,, ,, 10,000	550	300
,, 10,000 ,, ,, ,, 15,000	700	450
,, 15,000 ,, ,, ,, 20,000	800	500
,, 20,000 ,, ,, ,, 30,000	900	600
,, 30,000 ,, ,, ,,	1,000	700

If at the end of the two hours appointed for the election not more candidates stand nominated than there are vacancies to be filled up, the maximum amount which may be required is £25. (38 & 39 Vict. c. 84, as amended.)

RETURNING OFFICER'S CHARGES; Transmission of.

32. (2.) The account of the charges claimed by the returning officer in the case of a candidate and transmitted in pursuance of section four of the Parliamentary Elections (Returning Officers) Act, 1875, shall be transmitted within the time specified in the said section to the election agent of the candidate, and need not be transmitted to the candidate.

SCOTLAND; Application of Act to.

68. This Act shall apply to Scotland, with the following modifications:—

(1.) The following expressions shall mean as follows:—
The expression "misdemeanour" shall mean crime and offence:
The expression "indictment" shall include criminal letters:
The expression "solicitor" shall mean enrolled law agent:
The expression "revising barrister" shall mean sheriff:
The expression "barrister" shall mean advocate:
The expression "petty sessional court" shall mean sheriff court:
The expression "quarter sessions" shall mean the Court of Justiciary:
The expression "municipal borough" shall include royal burgh and burgh of regality and burgh of barony:

SCOTLAND.

The expression "Acts relating to municipal corporations" shall include the General Police and Improvement (Scotland) Act, 1862, and any other Act relating to the constitution and government of burghs in Scotland:

The expression "mayor" shall mean provost or chief magistrate:

The expression "alderman" shall mean bailie.

* * * * *

(4.) The jurisdiction of the High Court of Justice under this Act shall, in Scotland, be exercised by one of the Divisions of the Court of Session, or by a judge of the said court to whom the same may be remitted by such division, and subject to an appeal thereto, and the Court of Session shall have power to make Acts of sederunt for the purposes of this Act.

(6.) All offences under this Act punishable on summary conviction may be prosecuted in the sheriff court in manner provided by the Summary Jurisdiction Acts, and all necessary jurisdictions are hereby conferred on sheriffs.

(7.) The authority given by this Act to the Director of public prosecutions in England shall in Scotland be exercised by Her Majesty's advocate, and the reference to the Prosecution of Offences Act, 1879, shall not apply.

(8.) The expression "Licensing Acts" shall mean "the Public Houses Acts Amendment (Scotland) Act, 1862," and "The Publicans' Certificates (Scotland) Act, 1876," and the Acts thereby amended and therein recited.

(9.) The expression "register of licences" shall mean the register kept in pursuance of section twelve of the Act of the ninth year of the reign of King George the Fourth, chapter fifty-eight.

(10.) The references to the Public Health Act, 1875, and to the Elementary Education Act, 1870, shall be construed to refer to the Public Health (Scotland) Act, 1867, and to the Elementary Education (Scotland) Act, 1872.

(11.) Any reference to the Parliamentary Elections Returning Officers Act, 1875, shall not apply.

(13.) The power given by this Act to the Lord Chancellor in England shall in Scotland except so far as relates to the justices of the peace be exercised by the Lord Justice General.

(14.) Any reference to the Attorney-General shall refer to the Lord Advocate.

(15.) The provisions with respect to the removal of cases to the Central Criminal Court or to the trial of cases at the Royal Courts of Justice shall not apply.

(16.) Section thirty-eight of the County Voters Registration (Scotland) Act, 1861, shall be substituted for section ninety-seven of the Parliamentary Registration Act, 1843, where reference is made to that section in this Act.

(17.) The provision of this Act with regard to costs shall not apply to Scotland, and instead thereof the following provisions shall have effect:

SCOTLAND.

The costs of petitions and other proceedings under "The Parliamentary Elections Act, 1868," and under this Act, shall, subject to any regulations which the Court of Session may make by act of sederunt, be taxed as nearly as possible according to the same principles as costs between agent and client are taxed in a cause in that court, and the auditor shall not allow any costs, charges, or expenses on a higher scale.

SUB-AGENTS; Appointment and Duties.

25. In the case of the elections specified in that behalf in the First Schedule to this Act an election agent of a candidate may appoint the number of deputies therein mentioned (which deputies are in this Act referred to as sub-agents), to act within different polling districts.

(2.) As regards matters in a polling district the election agent may act by the sub-agent for that district, and anything done for the purposes of this Act by or to the sub-agent in his district shall be deemed to be done by or to the election agent, and any act or default of a sub-agent which, if he were the election agent, would be an illegal practice or other offence against this Act, shall be an illegal practice and offence against this Act committed by the sub-agent, and the sub-agent shall be liable to punishment accordingly; and the candidate shall suffer the like incapacity as if the said act or default had been the act or default of the election agent.

(3.) One clear day before the polling the election agent shall declare in writing the name and address of every sub-agent to the returning officer, and the returning officer shall forthwith give public notice of the name and address of every sub-agent so declared.

(4.) The appointment of a sub-agent shall not be vacated by the election agent who appointed him ceasing to be election agent, but may be revoked by the election agent for the time being of the candidate, and in the event of such revocation or of the death of a sub-agent another sub-agent may be appointed, and his name and address shall be forthwith declared in writing to the returning officer, who shall forthwith give public notice of the same.

Offices for Claims, &c.—*See* Election Agent (7).

TREATING; Defined.

1. (1.) Any person who corruptly by himself or by any other person, either before, during, or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any meat, drink, entertainment or provision to or for any person, for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting at such election, shall be guilty of treating.

(2.) And every elector who corruptly accepts or takes any such meat, drink, entertainment or provision shall also be guilty of treating.

UNDUE INFLUENCE; Defined.

2. Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of or threaten to make use of any force, violence, or restraint, or inflict or threaten to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who shall by abduction, duress, or any fraudulent device or contrivance impede or prevent the free exercise of the franchise of any elector, or shall thereby compel, induce, or prevail upon any elector either to give or to refrain from giving his vote at any election, shall be guilty of undue influence.

VOTERS; (1) Conveyance of—See Conveyance of Voters;

(2) Payment by Employer while absent to Vote.

[Parliamentary Elections Corrupt Practices Act, 1885.]

1. Nothing in the law relating to parliamentary elections shall make it illegal for an employer to permit parliamentary electors in his employment to absent themselves from such employment for a reasonable time for the purpose of voting at the poll at a parliamentary election, without having any deduction from their salaries or wages on account of such absence, if such permission is, so far as practicable without injury to the business of the employer, given equally to all persons alike who are at the time in his employment, and if such permission is not given with a view of inducing any person to record his vote for any particular candidate at such election, and is not refused to any person for the purpose of preventing such person from recording his vote for any particular candidate at such election.

2. This Act shall not be construed to make illegal any act which would not have been illegal if this Act had not passed.

3. This Act may be cited as the Parliamentary Elections Corrupt Practices Act, 1885.

VOTING:

(1) By Persons Guilty of Corrupt or Illegal Practices Prohibited.

36. Every person guilty of a corrupt or illegal practice or of illegal employment, payment, or hiring at an election is prohibited from voting at such election, and if any such person votes his vote shall be void.

(2) Persons convicted, or reported by Election Court, prohibited from voting during disability.

37. Every person who, in consequence of conviction or of the report of any election court or election commissioners under this Act, or under the Corrupt Practices (Municipal Elections) Act, 1872, or

VOTING.

under Part IV. of the Municipal Corporations Act, 1882, or under any other Act for the time being in force relating to corrupt practices at an election for any public office, has become incapable of voting at any election, whether a parliamentary election or an election to any public office, is prohibited from voting at any such election, and his vote shall be void.

(*See also* EMPLOYMENT FOR PAYMENT.)

(3) Elector employed for payment within six months before Election not to vote.

(Representation of People Act, 1867, Sec. 11.)

11. No elector who within six months before or during any election for any county or borough shall have been retained, hired, or employed for all or any of the purposes of the election for reward by or on behalf of any candidate at such election as agent, canvasser, clerk, messenger, or in other like employment, shall be entitled to vote at such election, and if he shall so vote, he shall be guilty of a misdemeanour.

(4) By prohibited Persons Illegal Practice.

9. (1.) If any person votes, or induces or procures any person to vote at any election, knowing that he or such person is prohibited whether by this or any other Act from voting at such election, he shall be guilty of an illegal practice.

(3.) Provided that a candidate shall not be liable, nor shall his election be avoided for any illegal practice under this section, committed by his agent other than his election agent.

WITHDRAWAL OF CANDIDATE; Corruptly Procuring.—*See* Candidate (8).

False Statement of.—*See* Candidate (9).

APPENDIX II.

Notes on University Elections.

BY

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The Universities of Oxford, Cambridge, and Dublin return two Members each, London one, Glasgow and Aberdeen jointly one Member, and Edinburgh and St. Andrew's also jointly one Member.

The procedure at these elections is governed as to England and Ireland by the Universities' Elections Acts, 1861 and 1868; as to Scotland by the Universities' Elections Amendment (Scotland) Act, 1881.

As the latter is exhaustively dealt with in the Act, it will be as well first to summarise its provisions before dealing with the other Universities and their varied qualifications of voters, regulations, and procedure.

In Scottish Universities every male graduate is qualified to vote for his University, but by Section 2, Sub-section 16, he is not allowed to graduate after examination until he has paid a registration fee not exceeding 20s., and registers have to be kept and revised annually by the different Registrars. In addition to the graduates, every person who has hitherto been, or shall in future become *ex-officio* a member of the General Council of any of the four Universities, owing to his having been a professor in, or having held office as, a member of a University Court, shall, on payment of the registration fee, be put on, and continue on, the register for his life.

By Section 7 the corrupt payment of the fee to influence a vote is punishable as bribery; and by Section 18 the candidates are compellable to pay the reasonable expenses of the Returning Officer.

The Vice-Chancellor of Glasgow is Returning Officer for his own University, and that of Aberdeen, while the Vice-Chancellor of Edinburgh performs that office for Edinburgh and St. Andrews, though the latter is the older University.

When more than one candidate appears to contest a vacant seat, a poll ensues; the Vice-Chancellor has 12 to 20 days in which to announce it, and it lasts from four to six days, as the Vice-Chancellor shall decide. It is by voting paper only, signed before a witness, and no voting in person is allowed. These voting-papers must be detached from a counterfoil by which they can be identified, and sent

to the graduates whose names are on the Roll. On their return, the Registrar must keep them unopened in a fire-proof safe till the poll begins. There are provisions in case of lost and spoilt voting-papers, and blind voters.

At the election any voting-papers not identified by their counterfoils are specially marked, put aside, and not counted. As soon after the correct votes have been ascertained as is possible, though no time limit is given, the Vice-Chancellor declares the result, and endorses the Writ.

In the Universities of Oxford, Cambridge, and London, the Vice-Chancellor is the Returning Officer; in Dublin, the Provost of Trinity College. Within six days of the receipt of the Writ, he is required to proceed to election, giving three clear days' notice of the date and time thereof, exclusive of the days of Proclamation and Election. Copies of the Proclamation are exhibited at conspicuous places in the Universities.

At the appointed hour, the Vice-Chancellor calls for nominations, which are made verbally. Should only one candidate appear, the Vice-Chancellor declares him duly elected, and so endorses the Writ. If, however, more than one candidate be nominated, a show of hands is taken, upon the result of which the defeated candidate or candidates usually demand a poll. Should a poll not be demanded, the Vice-Chancellor would declare the candidate having the largest number of votes on the show of hands duly elected.

A poll having been demanded, it is required to begin at 8 a.m. on the following day, Christmas Day, Good Friday, Ascension Day, and Sundays excepted, and may, if a candidate defeated on the show of hands demand it, continue for five days. At Oxford and Cambridge it must remain open for seven hours between 8 a.m. and 8 p.m.,* at London till 4 p.m. only, as respects which constituency the statute only mentions 8 a.m. as the opening hour on the first day. At Oxford and Cambridge the polling takes place at such centre or centres as the Vice-Chancellor may select, and three centres are permitted besides the Convocation or Senate House. At London, as "polling place" in the statute is in the singular, presumably only one centre is permissible—this is usually at the headquarters of the University.

The Vice-Chancellor presides at the poll, but appoints Pro-Vice-Chancellors to act as his deputies, and decide all questions in his absence as to the validity of votes. Poll clerks are also appointed by the Vice-Chancellor to record the names and addresses of voters and their proxies.

The voting may be either in person, each elector declaring his name and degree, and for whom he votes, or it is lawful for any elector in lieu of attending in person to vote, to nominate another elector or other electors to deliver for him a voting paper at the poll, which must be in the following form :—

> "I, A. B. [the Christian and Surnames of the elector in full, his college or hall, if any, and his degree or academic rank or

---

* 25 Geo. III. c. 84.

office, if any, to be here inserted], do hereby declare that I have signed no other voting-paper at this Election, and do hereby give my vote at this Election for ..... and I nominate C.D., E.F., G.H., or one of them to deliver this voting-paper at the poll.

"Witness my hand this day of 190 .

"(Signed) A. B. (place of residence)."

The above form must be signed in England, Scotland, or Ireland before a Justice of the Peace for the County or Borough where the voter resides.

In Jersey and Guernsey a Bailiff, Lieutenant Bailiff, Jurat, or Juge d'Instruction, in Alderney, a Jurat, and in Sark, a Seneschal or Deputy-Seneschal are vested by the Act of 1868 with the powers of a J.P. for this purpose, but no provision is made in the Acts for the witnessing of voting-papers abroad or in the Colonies.

Below the voter's signature appears the declaration:—

"Signed in my presence by the said A.B., who is personally known to me, on the above-mentioned day of 190 , the name or names of as the candidate or candidates having previously been filled in.

"(Signed) Z.M., a Justice of the Peace for.....

An elector who has signed and transmitted a voting paper may nevertheless vote in person provided it has not been tendered at the poll.

Candidates usually issue their own voting-papers with their own names in full printed thereon, as also the names of some half-a-dozen electors, any one of whom may act as proxy for the voter.

The Proxy repeats the following statutory declaration, being an amendment by the Act of 1868 of the form originally required by the Act of 1861, wherein the proxy had to declare his personal knowledge of the elector:—

"I solemnly declare that I verily believe this is the voting-paper by which A.B., the voter, intends to vote pursuant to the provisions of the Universities' Elections Acts, 1861 and 1868."

The proxy then signs this declaration, which is endorsed on the voting-paper, and hands it to the Vice-Chancellor; It was the opinion of Sir Roundell Palmer, then Attorney-General, that this signature can only be affixed at the time of making this declaration.

The Vice-Chancellor or Pro-Vice-Chancellor then examines the voting-paper, and if in order, hands it to the poll clerk for entry in the poll book.

By the Act of 1861, it is lawful for any person now by law or custom authorised on behalf of any candidate to object, to inspect any voting-paper tendered at the poll before the same shall be received and recorded, and object on five grounds: (1) that the voter is not qualified to vote; (2) that the person tendering it is not qualified to vote; (3) that the person has already voted in person or by proxy; (4) that the voting-paper bears a date previous to that of the Proclamation of Election by the Vice-Chancellor; (5) that it is forged or falsified. Should any of the above objections be sustained, the Vice-Chancellor must mark the paper: "Objected to as forged, falsified,"

etc. Other grounds for disqualifying a voter by proxy also exist, by far the most important of which is that the voting-paper has been signed before a J.P. not of the County or Borough in which the voter is in residence; also may be mentioned the omission of the full name of the voter, his residence, degree, college or hall, the date or a variance of the date of the signature with that after the signature of the J.P. It would appear that the Vice-Chancellor would be bound to disqualify such voting-papers for inaccuracy on the face, and non-compliance with the statutory form, whereas in the former case he need only disqualify should his attention be called by an objector.

It will be observed that the maximum time that can elapse between the Proclamation and the close of the poll, including possibly two Sundays, and either Christmas Day, Good Friday, or Ascension Day is 14 days, so that the voting-papers must be sent out and returned within this period. Further, that no witnessing of voting-papers outside the United Kingdom and Channel Islands is provided for. In a recent contest, however, the Vice-Chancellor allowed a vote by proxy received on the last day of the poll from Gibraltar, where the signature of the voter, a naval officer, had been witnessed by the captain of a British Man-of-War, who has all the powers of a J.P. on the vessel of which he is in command.

An announcement of the state of the poll is usually issued each day, after the voting ceases, and on that following the close of the poll the Vice-Chancellor declares the result of the voting, and proclaims the new Member. The customary votes of thanks to him are then passed, and he endorses and returns the writ.

All voting-papers, including those rejected, are to be kept by the officer of the University entrusted with the care of the poll books, and may be inspected on payment of one shilling.

Falsely signing a voting-paper is a misdemeanour, and renders the offender liable to one year's imprisonment.

The rules and penalties as to personation are applied to University elections by the Ballot Act, 1872, Section 27, though otherwise, of course, the Act does not apply.

The usual declarations as to election expenses must be made by the candidate, and their election agents: (Corrupt Practices Act of 1883, Section 33.)

The rules and regulations which qualify electors to vote, require some explanation in detail.

At Oxford all Members of Convocation, and Cambridge all Members of the Senate, are electors; these bodies are limited to graduates who hold the M.A. or higher degree, and have kept their names on the books of their colleges, or at Cambridge, of the University, which involves an annual fee or life composition.

At Oxford, an M.A. who has allowed his annual fee to lapse, has to attend in person to be re-admitted, and does not regain the "*jus Suffragandi*" until the lapse of 180 days after the date of his re-admission, and to recover the right of voting, when a name has been taken off the college books, the fee is £10, but this is not required of graduates who have compounded for their University dues; this composition varies for every five years of life, from 15 guineas when under 25, to

£5 for a man over 70, but for a Graduate who has paid this composition to be entitled to the vote, his name must have been kept on the college books.

At Cambridge, the University charges 17s. a year to each member of its body who wishes to have his name inscribed on the Register of Members of the Senate. This may be paid in various ways: 1. By composition; 2. By a direct annual payment; 3. Through the Member's college, the college charging something for its trouble in making the payment. At Cambridge, membership of the Senate is allowable without retention of name on the books of a college: 180 days must elapse after restoration of a name to the Register before the right of voting is acquired.

The qualifications of electors at Dublin are set out in 31 and 32 Vict., c. 112, ss. 33, 34. Men who are Scholars, Fellows, or have taken the degree of M.A., or a higher degree, are entitled to vote without payment of any fee. This Act repeals 5 and 6 Vict., c. 74, which required a composition fee of £5, which in turn had repealed 2 and 3 Wm. IV., wherein an annual fee of £1 was exacted. Every December an alphabetical list of voters is to be made out, which may be purchased for 2s. 6d., and is also published in the University Calendar and Irish newspapers. The possessors of Honorary Degrees are not entitled to the franchise. A name must have been on the books two months previous to an election to entitle to a vote thereat.

At London, all Bachelors of three years' standing from the date of their first degree, Masters of Arts, and Surgery, Doctors, and certain Senators, the last of whom need not be London graduates, are entitled to become Members of Convocation, and such pay an annual fee of 5s., or a life composition of £1. Such membership, in addition to other privileges, confers on men the Parliamentary vote. If, however, the annual fee or composition is not paid within six weeks of demand —*i.e.*, by February 15th—Membership of Convocation lapses, and the Senate requires formal application for readmission (to Convocation), accompanied by arrears or life composition, with an extra 2s. 6d. for registration. Readmission is then made by resolution of the Senate, which usually meets in every month, except during April, August, and September.

It will thus be observed that the admission of large batches of graduates to the degrees which qualify for the vote, or the payment of outstanding fees just before an election, may considerably alter the complexion of the electorate, a thing which cannot occur in other constituencies, except perhaps where an election is held on an entirely new Register.

No inquiries appear to be made by University authorities as to the nationality of electors; it would presumably be within the power of an objector, or the Vice-Chancellor, or his deputy, to challenge a voter, should suspicion exist that he was not a British subject.

University elections are subject to the Corrupt Practices Act, 1883, and it would be a breach thereof to pay an intending elector's fees with the view of influencing his vote; but there is no limit of election expenses, Universities not being mentioned in the Act of 1883. Dublin, however, in the special Act, is spoken of as the "Borough of the

University of Dublin." The Returning Officers Act, 1869, does not apply, and the expenses of the Vice-Chancellor are paid by the University. Political meetings are not held, but election addresses, literature, and voting-papers are usually sent by candidates to all voters, and the preliminaries of the election generally conducted through the post.

The term residence is generally considered to be satisfied by the adoption of the address where the voter is for the time staying; his signature being witnessed by a J.P. for the county or borough in which such address is situate.

Personal knowledge of an elector by a Justice of the Peace is capable of wide interpretation—one facetious J.P. suggested a good method of making his acquaintance would be for intending electors to lend him half-a-crown each. It is not uncommon for J.P.'s in large towns to be "At-home" to such electors as desire their witness to their signatures, and it was stated that in a recent election, a J.P. was taken round to the electors on a motor-car by an ardent canvasser.

Apart from such incidents, and the daily declaration of the state of the poll, when the figures are close, University Parliamentary Elections are unexciting, compared with those of other constituencies.

APPENDIX III.

(*a*) Rules under the Ballot Act, 1872, for Computation of Time at Parliamentary Elections.

1. The returning officer shall, in the case of a county election, within two days after the day on which he receives the writ, and in the case of a borough election on the day on which he receives the writ or the following day, give public notice, between the hours of nine in the morning and four in the afternoon, of the day on which and the place at which he will proceed to an election, and of the time appointed for the election, and of the day on which the poll will be taken in case the election is contested, and of the time and place at which forms of nomination papers may be obtained, and in the case of a county election shall send one of such notices by post, under cover, to the postmaster of the principal post office of each polling place in the county, endorsed with the words, "Notice of election," and the same shall be forwarded free of charge, and the postmaster receiving the same shall forthwith publish the same in the manner in which post office notices are usually published.

2. The day of election shall be fixed by the returning officer as follows; that is to say, in the case of an election for a county or a district borough not later than the ninth day after the day on which he receives the writ, with an interval of not less than three clear days between the day on which he gives the notice and the day of election; and in the case of an election for any borough other than a district borough not later than the fourth day after the day on which he receives the writ, with an interval of not less than two clear days between the day on which he gives the notice and the day of election.

14. The poll shall take place on such day as the returning officer may appoint, not being in the case of an election for a county or a district borough less than two nor more than six clear days, and not being in the case of an election for a borough other than a district borough more than three clear days after the day fixed for the election.

56. In reckoning time for the purposes of this Act, Sunday, Christmas day, Good Friday, and any day set apart for a public fast or a public thanksgiving, shall be excluded; and where anything is required by this Act to be done on any day which falls on the above-mentioned days such thing may be done on the next day, unless it is one of the days excluded as above-mentioned.

(*b*) Specimen Time Table.

Say.		COUNTIES.
Mon.	1st.	*Writ received.* First possible day for *Notice.*
Tues.	2nd.	
Wed.	3rd.	Last day for *Notice.*
Thu.	4th	
Fri.	5th.	First possible day for *Nomination.*
Sat.	6th.	
Sun.	7th.	Exclude from reckoning.
Mon.	8th.	
Tues.	9th.	*Poll,* first possible day for.
Wed.	10th.	
Thu.	11th.	Last day for *Nomination.*
Fri.	12th.	
Sat.	13th.	
Sun.	14th.	Exclude from reckoning.
Mon.	15th.	
Tues.	16th.	
Wed.	17th.	
Thu.	18th.	
Fri.	19th.	*Poll,* last day for.

Say.		BOROUGHS.
Mon.	1st.	*Writ received.* First possible day for *Notice.*
Tues.	2nd.	Last day for *Notice.*
Wed.	3rd.	
Thu.	4th.	First possible day for *Nomination.*
Fri.	5th.	Last day for Nomination. First possible day for *Poll.*
Sat.	6th.	
Sun.	7th.	Exclude from reckoning.
Mon.	8th.	
Tues.	9th.	
Wed.	10th.	*Poll,* last day for.

Note.—In DISTRICT BOROUGHS, *Notice* must be given on day Writ is received, or on day following; otherwise the specified periods are the same as those fixed for Counties.

APPENDIX IV.

Election Agents' Time Table Memoranda.

A.—General.

1. Notify appointment to Returning Officer, in writing, **signed by Candidate**, and at the same time declare an address to which all claims, notices or documents may be sent.
2. Hire Central Committee Room.
3. Arrange for opening banking account for election expenses.
4. Estimate expenditure.
5. Purchase all necessary copies of Register, making provision for copies required in each Ward or District Committee Room.
6. Secure estimates for printing and advertising.
7. Order stationery.
8. Have two sets of addressed envelopes of necessary sizes prepared: one set for candidate's address; the other set for Polling Cards.
9. Have canvass cards filled in.
10. Decide upon districts for organisation.
11. (Counties.) Appoint Sub-Agents; give each Sub-Agent formal appointment in writing. Name and address of each Sub-Agent, together with District Office for claims and notices, must be declared in writing to the Returning Officer **not later than one clear day before the poll.**
12. (Counties.) Arrange for District Committee Rooms.
13. (Counties.) Issue instructions to Sub-Agents and fix limit of expenditure for each.
14. Engage clerks and messengers.
15. Issue Candidate's Address to Electors.
16. Consider number of and general arrangements for public meetings.
17. Procure literature.
18. Organise canvass of out-voters.
19. Consider conveyance arrangements for Polling Day, and get Candidate to invite the loan of carriages.
20. Hold meeting of workers, explaining requirements of the law, and discussing general plan of campaign. In counties, instruct Sub-Agents to do likewise.

B.—Nomination.

21. Decide upon number of nomination papers to be deposited.
22. Arrange for their signature by proposers, seconders, and eight assentors.
23. Check each nomination paper to guard against errors which might invalidate.
24. Provide bank-notes for security for Returning Officer's charges.
25. Attend nomination with **Candidate, who should personally deposit nomination papers.** The proposer or seconder of a nomination may deposit the paper bearing his signature. Deposit by any other person is invalid.
26. Tender security for his charges (in bank notes) to Returning Officer.
27. Consider any grounds of objection to nomination of opposing Candidates.

C.—Preparation for Polling Day.

28. Ascertain position of Polling Stations.
29. Prepare polling cards.
30. Consider "special points to appear on back of polling cards.
31. Make detailed carriage arrangements and communicate all particulars to persons lending conveyances.
32. Post polling cards after having addresses checked and altered for removals, &c.

One clear Day, at least, before the Poll—

33. (*a*) Appoint Personation Agents (or Polling Agents).
34. (*b*) Secure appointment by Candidate of Counting Agents. Notifying Returning Officer in writing, of the respective appointments one clear day before the poll.
35. (Counties.) Declare list of names and addresses of Sub-Agents to Returning Officer in writing.
36. Make statutory declaration of secrecy.
37. Provide for every person authorised to undertake duties inside Polling stations, or to be present at the counting of votes, making the required declaration of secrecy. It can be made in the presence of any Justice of the Peace, or of the Returning Officer.
38. Send written or printed instructions to Polling Agents and Counting Agents.
39. See that marked registers are prepared for the use of Polling Agents.
40. Issue instructions to each Ward or District for Polling Day.
41 Hold final meeting of workers.

D.—After Declaration of the Result.

42. Advertise notice to creditors to send in claims within 14 days of the declaration of poll.

43. Circulate thanks of Candidate to supporters and personal letter to workers.

Within 14 Days—

44. Get in claims in respect of expenses incurred about the election.

45. Get from Candidate—

(*a*) General statement in writing of the amount of personal expenses in connection with the election paid by him (not to exceed £100).

(*b*) Particulars of any such personal expenses beyond £100, which are to be paid by Election Agent. The Candidate may provide money for this purpose without reference to election expenses scale.

46. Get particulars, in writing, of expenditure by persons authorised to incur petty expenses.

47. Deposit statement of Election Agent's claim for fees.

Within 21 Days—

48. Receive detailed account of all charges claimed by the Returning Officer in respect of the election, and the share claimed from the Candidate. (The 21 days is computable from time when Returning Officer transmits return of election, which he is directed to do "forthwith" after the poll.)

Within 28 Days—

49. Pay all admitted claims, including Election Agent's fee.

Within 35 Days—

Transmit to Returning Officer—

50. (*a*) Return of election expenses in the prescribed form.

51. (*b*) Declaration of expenses made before a Justice of the Peace, after form prescribed.

52. *At the same time, or within seven days afterwards*, transmit to the Returning Officer, Candidate's Declaration of Expenses in the prescribed form. If out of the United Kingdom when return is transmitted, a Candidate is allowed 14 days after his arrival in the United Kingdom within which to transmit his declaration.

53. Disputed Claims.—If claimant brings an action in any competent Court, any sum paid by Candidate or his Agent in pursuance of a judgment of such Court is deemed to be paid within the time limited by the Act, and to be an exception from the provisions of the Act requiring claims to be paid by Election Agent.

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